

WPO/607/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SRI SAMIRON GHOSH

-Versus-

STATE OF WEST BENGAL AND ORS.

Appearance:

Mr. Aniruddha Chatterjee, Adv.

Mr. Syed Nurul Arefin, Adv.

Mr. Rahul Singh, Adv.

...for the petitioner.

Mr. Samrat Sen, Sr. Adv.

Ms. Amrita Panja Moulick, Adv.

...for the State.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 7th October, 2021.

The Court : This Court is of the view that a long drawn issue could be settled if the Tender Evaluation Committee (TEC) revisits the petitioner's tender and takes a decision afresh on the technical eligibility of the petitioner strictly in accordance with the terms and conditions of the NIT.

Let the aforesaid exercise be completed within a period of 72 hours. The final decision thereof may be communicated to the petitioner immediately thereafter.

It is made clear that in the event the TEC feels that the petitioner is technically qualified his financial bid may be opened along with the others. Needless to mention in the event the petitioner does not meet the technical requirements, his financial bid shall not be opened and the TEC shall proceed to complete the tender process.

The TEC shall take an independent decision of his own. It is also made clear that this Court has not gone into the merits of the rival claims made by the parties.

Since no affidavit has been used by the respondents, none of the allegations contained in the writ petition or the supplementary affidavit shall be deemed to have been admitted by them.

WPO/607/2021 stands disposed of without any order as to costs.

(RAJASEKHAR MANTHA, J.)

A/s.