

Sl. No.21
31.08.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 909 of 2022

Mantaj Ansari & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Joytosh Majumder
Mr. Sougata Mitra
Ms. Jahanara Begum
Mr. A. Dey

... for the petitioners

Mr. Samrat Sen
Ms. Manali Ali

... for the State

Mr. Shuvro Prakash Lahiri
Mr. Kunal Ghosh

... for the respondent no.6

The petitioner has prayed for a direction upon the respondent nos.5 & 6 i.e. the Panchayat and its Pradhan to show cause as to why the notice inviting tender dated 23rd December, 2021 shall not be set aside and/or quashed.

The specific case of the petitioner is that the tender notice was not widely published and the petitioners accordingly could not participate in the said tender process even though they were eligible to participate in the same.

The period for completion of work as reflected in the NIT is within February, 2022. The writ petition has

been filed in January, 2022, but by the time the same is taken up for consideration the projects are over.

Learned advocate representing the Pradhan submits that completion certificate of the projects have been issued.

At such delayed point of time, no relief can be granted to the petitioner in the instant case.

It will be open for the petitioner to sue the respondents for damages in accordance with law, if so advised.

Affidavit in opposition filed on behalf of the respondent no.4 is taken on record.

Mr. Sankha Ghatak, Block Development Officer, Arsha Block, Purulia is personally present in Court. His personal appearance stands dispensed with.

The completion certificates issued by the Pradhan of the Gram Panchayat counter signed by the Nirman Sahayak handed over by the learned advocate for the Pradhan in Court today are retained with the records.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities

(Amrita Sinha, J.)