

S/L 19
05.05.2022
Court. No. 19
GB

WPA 4013 of 2022

Sukumar Mahato
VS
The State of West Bengal & Ors.

Mr. Dipankar Pal,
Ms. Kalali Naskar.

...for the Petitioner.

Mr. Jahar Lal De,
Mr. Shamim Ul Bari.

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner complains that the Pradhan of Agaya-Narrah Gram Panchayat had issued tender notices being NIT No.01 to NIT No.07 for certain works to be conducted by successful bidders, without adhering to the rules. The allegation is that the work orders were allotted to favoured persons and those persons were allowed to continue with the work, without depositing the earnest money. The Pradhan allowed such illegality. Hence, the writ petition has been filed for a direction upon the respondents to cancel, set aside and rescind the tender notices being NIT No.01 to NIT No.07. Further prayer has been made for a direction upon the respondents to enquire and investigate into the complaint lodged by the petitioner on January 20, 2022.

Mr. De, learned Additional Government Pleader submits that the work has already been completed. The petitioner does not have any locus to file the writ petition and the allegations are not supported by any documents. He

also submits that the writ petition should fail for non-joinder of parties.

Heard the learned advocates for the respective parties. Admittedly, the petitioner was not a participant in the tender process. The petitioner is also not a member of the committee, which looks after the tender processes in the gram panchayat. The Court does not find that any right of the petitioner has been infringed in any way. The allegations are not fortified with supporting documents. The writ petition fails. However, the respondents are to ensure that all tenders are invited and work orders are issued in accordance with the Panchayat Manual and the rules.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)