

19.07.2022
Ct. 5
D/L 29
ab

WPA 6594 of 2022
With
IA No. CAN 1 of 2022

Arun Kumar Nandy
-Vs-
State of West Bengal & Ors.

Mr. Swarup Paul,
Mr. Surya Maity,
Ms. Amrita Maji,
Mr. Anirban Chakraborty

... for the petitioner

Mr. Samrat Sen,
Mr. Nilotpal Chatterjee,
Mr. Amitava Mitra,

... for the State

Mr. Anubhav Sinha,
Ms. Sachita Barman Roy

... for the respondent no. 5

Apart from the primary dispute of the petitioner not being selected as a successful bidder in the tender floated by the E.S.I. Hospital, the other dispute appears to be the uploading of the technical and financial bid documents at the same time by the petitioner.

This is the position of the tender authority. The petitioner disputes the stand by stating that the petitioner uploaded the technical and the financial bid documents in two separate folders. The averment in the

writ petition does not throw any light on this aspect neither does the subsequent pleadings by the parties.

Since this Court is not in a position to ascertain the truth of the contentions, the Director, E.S.I. Hospital should consider the writ petition and the other pleadings as a representation of the petitioner and dispose of the same dispose by passing a reasoned order within a period of three weeks from date after giving an opportunity of hearing to the petitioner and the private respondent. A copy of the reasoned order shall be made available to the petitioner within a week from the date of passing such order.

WPA 6594 of 2022 and CAN 1 of 2022 are disposed of in terms of the above.

(Moushumi Bhattacharya, J.)