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19.07.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 9684 of 2022

**Md. Salauddin Azad
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Bose,
Mr. Arnab Saha,
Mr. Diptendu Mandal,
Mr. Nikhil Kumar Gupta.
...For the Petitioner.**

**Mr. Jahar Dutta,
Mr. Bipin Ghosh.
...For the State.**

Affidavit-of-service and the supplementary affidavit filed in Court today is taken on record.

Pursuant to a notice inviting e-Tender No.19/Bel-II PS/2021-22(2nd Call) dated 29th March, 2022, the petitioner applied in respect of the serial Nos. 1, 4 and 5 of the said notice.

The bid was opened on 18th April, 2022 and the petitioner stood disqualified in the pre-qualification evaluation stage on the ground that the 'media approved certificate' was not produced by the petitioner.

The petitioner claims that the 'media approved certificate' was duly uploaded in the portal of the respondent authorities.

The petitioner immediately raised objection before the respondent authorities in May 2022 and alleges that the same has not been taken up for consideration till date.

The petitioner submits that the work order has been issued in favour of the successful tenderer but the work has not commenced yet.

The petitioner prays for reconsideration of his case.

Learned advocate appearing for the State respondents submits that as the work order has already been issued, there is hardly any scope for reconsideration of the case of the petitioner.

Be that as it may, as it appears that the representation filed by the petitioner is pending consideration at the end of the respondent authorities, accordingly, the instant writ petition is disposed of by directing the Block Development Officer, Beldanga-II who is the Executive Officer, Beldanga-II Panchayat Samity to consider the notice demanding justice sent by the learned advocate for the petitioner on 23rd May, 2022 in accordance with law, at the earliest, after giving a reasonable opportunity of hearing to the necessary parties positively within a fortnight from the date of communication of a copy of this order and pass a reasoned order and communicate the same to the parties immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid

respondent at the time of consideration of the representation filed on behalf of the petitioner.

The petitioner is directed to forward a copy of the representation dated 23rd May, 2022 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)