

13.
11-07-2022
debajyoti
(Ct. no.24)

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

WPA 11621 of 2022

**Aliul Islam
Vs.
The State of West Bengal & Ors.**

Ms. Shabana Hasin

... For the Petitioner.

The petitioner participated in response to the notice inviting e-Tender No. 001/15th FC/EO/SUTI2MSD/2022-23. He submitted his bid pursuant to the said e-Tender notice, but the Executive Officer, Suti-II Panchayat Samity disqualified the petitioner on the technical evaluation stage on the ground that the Professional Tax has not been submitted by the petitioner as per the Government Rules.

The petitioner has referred to the notice inviting e-auction which mentions that Professional Tax Receipt Challan for the last three consecutive years should be submitted.

The petitioner has annexed documents to the writ petition to show that the Professional Tax was duly paid by him for the last three consecutive years. A certificate has also been annexed to the writ petition declaring that the petitioner is an enrolled person and has paid up-to-date tax and the Certificate is valid till 31st July, 2023.

It appears from the aforesaid documents that the reason for disqualifying the petitioner does not appear to be correct.

None appears on behalf of the State respondents despite service. Affidavit-of-service filed in Court today is taken on record.

In view of the above, the instant writ petition is disposed of by directing the respondent no.4, that is, the Executive Officer, Suti-II Panchayat Samity, to verify the documents submitted by the petitioner all over again to ascertain whether Professional Tax was duly paid by him or not in accordance with the Government Rules.

In the event it appears that the Professional Tax has been cleared by the petitioner, the said authority shall permit the petitioner to participate in the tender process strictly in accordance with law.

The Executive officer shall verify the documents of the petitioner at the earliest, but, positively within a period of seven days from the date of communication of this order.

The writ petition stands disposed of.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Amrita Sinha, J.)