

04.07.2022
Ct. 5
D/L 8
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WPA 12111 of 2022

Shyam Sundar Dutta

-Vs-

State of West Bengal & Ors.

Mr. S. Datta,
Mr. R. N. Barik,

... for the petitioner

Mr. Samrat Sen, learned AAAG
Mr. Nilotpal Chatterjee,
Mr. Amrita Lal Chatterjee,

... for the State

Mr. Bhaskar Prosad Banerjee,
Mr. Parashar Baidya,

... for the respondents no. 14 and 15

The grievance of the petitioner is to rejection of the petitioner's bid by the respondent no. 13 being the Chief Medical Officer of Health, North 24 Parganas. According to learned counsel appearing for the petitioner, the rejection is without any basis, as the petitioner cannot be categorized as a sub-contractor. Counsel raises question on the basis on which the private respondents were chosen as successful bidders.

After considering some of the documents shown, it appears that the petitioner's case can be considered by the respondent no. 12 on a fresh look on the documents placed before this Court. The question of the

mode and manner, in which the private respondents were chosen, shall also be gone into.

After hearing learned counsel, this Court is of the view that the writ petition can be disposed of with a direction on the respondent no. 12 being the Medical Superintendent cum Vice-Principal, R. G. Kar Medical College & Hospital, Department of Health and Family Welfare, Government of West Bengal, to consider the representation made by the petitioner on 5th May, 2022 and dispose of the same by passing a reasoned order within a period of two weeks from date, as suggested by the learned Additional Assistant Advocate General, after hearing the petitioner as well as the private respondents. The said respondent shall also consider the documents, which have been placed by the petitioner before this Court as well as the selection of the private respondents. A copy of the reasoned order shall be made available to the petitioner within a week from the date of passing such order.

WPA 12111 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)