

06
04.07.2022
TN

WPA No. 12897 of 2022

Mudaliar Mallikarjun Rao
Vs.
The Union of India and others

Mr. Saptarshi Roy,
Mr. Arkadipta Sengupta,
Ms. Kakali Das Chakraborty

.... for the petitioner

Affidavit-of-service filed in court today be kept
on record.

Despite service, none appears for the
respondents when the matter is called on for hearing.

In view of the innocuous nature of prayer made
by the petitioner, further service is not directed.

Learned counsel for the petitioner contends
that, due to technical glitches on the part of the server
which carries the official website of the respondent-
authorities, the petitioner could not complete the
bidding process even after depositing Rs.4 lakh as
earnest money as per the tender terms, on May 02,
2022.

In such view of the matter, the petitioner gave a
representation to the respondent-authorities to
consider the petitioner's case, as there was no fault on

the part of the petitioner in delaying the compliance of the tender process in respect of submission of bid.

It is seen from Annexure-P/4 at page-21 of the writ petition that the same is in consonance with the submission made by learned counsel for the petitioner and the averments made in the writ petition.

Accordingly, WPA No.12897 of 2022 is disposed of by directing the respondent no.3 herein, being the Principal Chief Commercial Manager, South Eastern Railway to consider and decide on the representation of the petitioner dated June 24, 2022 (Annexure-P/4 at page-21 of the writ petition) upon giving an opportunity of hearing to the petitioner, as expeditiously as possible, preferably within a week from the date of communication of this order to the respondent no.3.

The learned Advocate-on-record for the petitioner shall communicate the gist of this order, accompanied by a server copy of the order, to the respondent no. 3 by July 06, 2022.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)