

30.08.2022
Ct. 5
D/L 118
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WPA 18252 of 2022

M/s. Neogi Construction and Company & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Sobhan Majumder,
Mr. Himangshu Ghosh

... for the petitioners

Mr. Samrat Sen,
Mr. Amitava Mitra

... for the State

Mr. Sankar Halder

... for the respondent no. 9

The petitioners challenge a Notification dated 18th July, 2022 by which the petitioners' technical bid for security services for Medical Colleges and Hospitals in the State was rejected on the ground of the petitioners not submitting proper credentials as per the NIT. The specific reason given is that the 2nd petitioner's father's name varies in PAN Card as compared with the other documents.

After hearing learned counsel appearing for the petitioners and the State, it appears that the Notification, which is under challenge for the particular tender, was not given effect to since the tender was declared cancelled as per the prevailing norms. The

State issued a fresh Notification dated 26th July, 2022 for the same work. The last date for online bid submission was 17th August, 2022 at 5 p.m. in the second tender. The petitioners admittedly have not participated in the second tender.

It is an admitted fact that the 2nd petitioner's father's name, as appearing in the PAN Card is incorrect, which would appear from an affidavit filed by the petitioners before learned Metropolitan Magistrate, Kolkata on 6th September, 2021. The 2nd petitioner states in the said affidavit that his father's name is "Ashutosh Neogi" and not "Subodh Kumar Neogi" as recorded in the PAN Card. The correction in the PAN Card is yet to be made.

Considering all the relevant facts, this Court is not inclined to pass any order in favour of the petitioners. The petitioners have not made out a case or the basis for not bidding in the second tender and the information of the petitioners' documents are admittedly erroneous.

WPA 18252 of 2022 is accordingly dismissed without any order as to costs.

(Moushumi Bhattacharya, J.)