

13.01.2022
Court No.13
Item No.21
pk

WPA 19550 of 2021

**Rajib Roy
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Satrajit Sinha Roy

... For the Petitioner.

Mr. Jishnu Chowdhury,
Ms. Amrita Panja Moulick

... For the State.

The writ petitioner is aggrieved by the fact that a NIT issued by the Department of Health and Family Welfare for establishment, operation, maintenance and management of Mechanised laundry Facility at Bankura SMCH on Public Private Partnership Mode, was withdrawn and a fresh tender was issued increasing the financial eligibility criteria to Rs.3 crores.

Counsel for the petitioner submits that the financial bar has been increased from Rs.1 crore to Rs.3 crores only to exclude the petitioner from the fray.

Counsel for the State submits that the respondents had increased the financial eligibility to Rs.3 crores for participation, purely on the quality requirements of the State and was not aimed at excluding any person from the tender process. It is also submitted that the petitioner could still participate in the tender process since by corrigendum, eligibility criteria has been reduced from Rs.3 crores to Rs.2 crores.

This Court is of the view that the respondents cannot be faulted merely because financial criteria has been increased to Rs.3 crores. No conclusion can be drawn that the same was aimed at excluding any particular tenderer from the fray. The petitioner is unable to fulfil even the reduced qualification stipulated to participate in the tender process.

In that view of the matter, no relief can be granted to the petitioner.

The writ petition is dismissed.

Interim order, if any, shall stand vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)