

05.12.2022
rc/ct.no.10
Item No.544

WPA No. 22445 of 2022

Mr. Saptarshi Roy
Mr. Siddhartha Roy
Mr. Debrup Bhattacharjee
Mrs. Kakali Das Chakraborty ...for the petitioner

Mr. Rudra Jyoti Bhattacharjee
Mrs. Debjani Ghosal ...for the UOI

The plight of the petitioner as submitted by the learned counsel appearing on behalf of the petitioner is recorded in the order passed on November 07, 2022. It is submitted by the learned counsel appearing on behalf of the petitioner that the authority may be directed to consider the representation submitted by the petitioner dated September 19, 2022 and re-negotiate the quantum of reserve price for the leases granted to the petitioner as well as private respondent, upon giving opportunity of hearing to the petitioner.

It is submitted by the learned counsel appearing on behalf of the respondents that there is no provision for re-negotiation of the reserve price (including bid price) fixed for each tender after closure of the tender.

Upon consideration of the submission made by the learned counsels appearing on behalf of the parties this Court is inclined to hold that since the petitioner has submitted a representation before the concerned authority for consideration of his grievance, the authority should be directed to dispose of the representation within a

stipulated time frame after giving an opportunity of hearing to the petitioner.

Accordingly the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated September 19, 2022 within two weeks from the date of communication of this order after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place its contention before the concerned authority.

The respondent authority shall not take any coercive steps against the petitioner in respect of the lease in question till a week after communication of the decision of the concerned authority.

With the above observations and directions this writ petition is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)

