

14.11.2022
Ct. 5
D/L 18
ab

WPA 22504 of 2022

M/s. Rupa Enterprises

-Vs-

The State of West Bengal & Ors.

Mr. Swarup Paul,
Mr. Surya Maity

... for the petitioner

Mr. Nilotpal Chatterjee,
Mr. Amrita Lal Chatterjee,

... for the State

The petitioner is aggrieved by an order dated 29th August, 2022 by which the petitioner's prayer for exemption of security deposit was rejected.

According to learned counsel appearing for the State, the petitioner has already been given an exemption in terms of the earnest money deposit. The petitioner has been selected as the successful bidder and the petitioner wants exemption on both counts.

The impugned order does not contain any reasons and in fact, does not even spell out the rejection of the petitioner's prayer. The petitioner has simply been instructed to comply with the terms and conditions of the NIT for providing security services in a particular Hospital in Purba Bardhaman.

This Court is, therefore, inclined to set aside the impugned order on the ground of the order being vague and without reasons.

WPA 22504 of 2022 is disposed of with a direction on the respondent no. 8 being the Chief Medical Officer of Health, Purba Bardhaman, to pass a fresh order on the petitioner's prayer for exemption of security deposit and upon giving due consideration to Annexure 'P-7' to the writ petition before passing the fresh order. The respondent no. 8 shall also consider Rule 47A of The West Bengal Financial Rules and any other relevant notifications if any. The fresh order shall be passed within a period of three weeks from date. A copy of the said order shall be made available to the petitioner within a week from the date of passing such order.

(Moushumi Bhattacharya, J.)