

19.12.2022
Sl. No.21(DL)
srm

W.P.A. No. 27511 of 2022

Gunendra Roy

Versus

State of West Bengal & Ors.

Mr. Samim Ahmed,
Mr. Arka Ranjan Bhattacharya,
Ms. Gulsanwara Pervin,
Ms. Ambiya Khatun

....for the Petitioner.

Mr. Jahar Lal De,
Mr. Rudranil De

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner as the highest bidder was offered the lease of rest shed, cycle garage and pay toilet at the Kandi Sub-Divisional Hospital, Murshidabad. The petitioner submits that Rs.54,000/- had been deposited in terms of the said offer letter. The petitioner was asked to coordinate with the authorities of Kandi Sub-Divisional Hospital for necessary arrangements.

By letters dated May 23, 2022 and May 25, 2022, the petitioner informed the District Engineer, Murshidabad Zilla Parishad as also the Superintendent of Kandi Sub-Divisional Hospital respectively, that the entire rest shed, cycle garage and pay toilet had not been handed over to the petitioner as per the offer letter. Only a portion of the same had been

handed over and the hospital continued to retain possession over the rest.

Having heard Mr. Ahmed, learned Advocate for the petitioner, this Court is of the view that a comprehensive representation must be filed before the Additional Executive Officer, Murshidabad Zilla Parishad, who had offered the lease to the petitioner as the highest bidder. If such representation is filed, a reasoned order shall be passed and communicated to all. Before such decision is taken, a hearing shall be given to the petitioner as also to the authorities of Kandi Sub-Divisional Hospital.

If the allegations of the petitioner are found to be correct and the petitioner is found to have deposited the amount as per the offer letter, the authorities shall take steps to ensure that the contents of the offer letter are implemented. If there are reasons for not passing any order in favour of the petitioner, such reasons shall be disclosed in the reasoned order.

The entire exercise shall be completed within a period of two months from the date of receipt of the petitioner's representation.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)