

20. 29.12.2022
Ct. No.08
cm

**MAT 2102 of 2022
With
CAN 1 of 2022**

**Duster Total Solutions Services Pvt. Ltd. & Anr.
-Versus-
Reliable Facility Services Pvt. Ltd. & Ors.**

**Mr. Kallol Basu
Mr. Samik Sarkar
...for the appellants.**

**Ms. Aparna Banerjee
...for the Respondent No.3 to 6.**

**Mr. Suddhasatra Banerjee
Mr. Soumasho Ghosh
Mr. Sagnik Majumdar
Ms. Ananya Das
... for the respondent No.1**

Life of the tender is only two months. Learned advocate for the hospital authority submits that there is no allegation against the appellants that he is not working properly or to the satisfaction of the authority. Only two months' life is pending in respect of the contract. For the next contract, tender has been floated by the hospital authority to which the appellant has participated and the respondent No.1 has said that the stage of participation has not arrived as yet. It is open to him whether he would participate in the tender or not. As no adverse report against the appellants is there and the life of the tender work is less than two months from date as stated by the learned

advocate for the hospital authority we do not think that for the coming nearly two months i.e. till 23rd February, 2023 the work should be handed over to the respondent No.1 and, therefore, to this extent, we interfere with the observation of the learned Single Judge and the relevant part of the order is set aside and the appellants will work till completion of the tender period i.e. 23rd February, 2023.

Thus, with this observation and direction the appeal and the connected application are disposed of.

(Prasenjit Biswas) (Abhijit Gangopadhyay, J.)