

Sl No. 7
07.03.2022.
Ct No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction
(Via Video Conference)**

**WPA 552 of 2021
Sushil Kumar Mallick**

-versus

The State of West Bengal & Ors.

Mr. Jagriti Mishra
... for the petitioner.

Mr. Hirak Barman
Mr. Bikramaditya Ghosh
... for the State respondents.

The petitioner has raised certain issues with regard to the tender that was floated by the Boalmari Nandanpur Gram Panchayat under Sadar Panchayat Samity, Jalpaiguri being N.I.T. No. 5/360/BNGP/18-19 dated January 24, 2019.

The petitioner relies upon the relevant provisions of law which were not taken into consideration at the time of floating the tender and at the time of issuance of work order in favour of the successful bidder. It has been submitted that the nature of the work performed by the successful tenderer is of very low quality.

According to the petitioner there was huge scale of financial irregularities in the tender process. The

petitioner obtained information under the Right to Information Act, 2005 and thereafter raised an objection before the District Magistrate, Jalpaiguri. The petitioner alleges that the complaint filed by him on June 8, 2020 has not been taken into consideration till date.

Opportunities were given to the State respondents for filing the opposition but the same has not been filed till date.

In the absence of the opposition it is not possible for this Court to decide the issue conclusively.

Accordingly, the writ petition is disposed of by directing the District Magistrate, Jalpaiguri to consider the complaint that has been filed by the petitioner strictly in accordance with the relevant rules after giving an opportunity of hearing to the petitioner and all other necessary parties at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

The petitioner is directed to forward a copy of the complaint and all other supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

The said respondent shall pass a reasoned order and communicate the same to all the parties immediately thereafter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)