

AD. 69.
January 13, 2023.
MNS.

WPA No. 384 of 2023

Arun Sign Service Private Limited
Vs.
State of West Bengal and others

Mr. Nilanjan Bahttacharya,
Mr. Dipanjan Sinha Roy

... for the petitioner.

Mr. Samrat Sen,
Mr. Nilotpal Chatterjee,
Mr. Amritlal Chatterjee

...for the State.

The limited grievance of the petitioner is that, despite the petitioner having deposited the bid amount in time, the proof of deposit could not be uploaded in time on the designated portal due to technical glitches.

Since, despite service, none appears for the answering respondent nos. 2 and 3, although the State is represented, the matter is being taken up for hearing in the absence of the respondent nos. 2 and 3.

In view of the conspectus of the challenge being limited to the ground as urged above, no rights of parties shall be decided finally even if the writ petition is disposed of with a direction to the respondent-authorities to consider the petitioner's

bid to have been filed within the regular time and to continue with the tender process as expeditiously as possible.

It may be noted here that pursuant to the order dated January 5, 2023, the petitioner has been permitted to participate in the bidding process.

In such view of the matter, WPA No. 384 of 2023 is disposed of by directing the respondent-authorities to consider the petitioner's bid, which has been submitted in due time, and to proceed with the tender process expeditiously, maintaining the designated time-line for conclusion of the same.

It is made clear that the validity of the petitioner's bid has not been entered into by this Court and it will be open to the tender-issuing authority to consider all bids, including the petitioner's bid, for the purpose of ascertaining whether the petitioner is entitled at all to be successful in the tender process.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)