

20.06.2023
Item No.3
PG/KS
Ct. No.1

W.P.A.(P) 266 of 2023

**Manik Chand Kumar
VS
The State of West Bengal & Ors.**

Mr. Soumik Ganguly
Mr. Dilip Kumar Sadhu

.....for the Petitioner

Mr. T. M. Siddique
Mr. Supratim Dhar

.....for the State

1. Affidavit of service filed in Court today is taken on record.
2. Petitioner by way of this public interest litigation alleges that in the matter of award of tender, certain illegalities have occurred and the beneficiaries are the 12th and 13th respondents. The private respondents have been served and affidavit of service has been filed, but none appears for the private respondents.
3. As none appears on behalf of the State/respondents, we have directed Mr. T. M. Siddique, learned Additional Government Pleader to accept notice on behalf of the official respondents and his appearance be regularized.

4. Since this writ petition is being disposed of without calling for affidavits, the merits of the allegations made by the petitioner in the matter of award of tender is not gone into.
5. We direct the 3rd respondent, the District Magistrate, Purulia and the Executive Officer, Purulia Zilla Parishad to consider the petitioner's representation dated 28th April, 2023 and pass orders on merits and in accordance with law after conducting an enquiry.
6. The 3rd respondent is at liberty to call for the necessary files from the office of 6th respondent to examine the correctness of the award of the tender documents/tender.
7. This exercise shall be completed by the 3rd respondent within a period of three weeks from the date of receipt of the server copy of this order.
8. The petitioner is directed to forward copy of the representation along with the copy of this order to the 3rd respondent for effective compliance of the above directions.
9. With the above directions, the writ petition stands disposed of.
10. No costs.

11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)