

06.12.2023
(M/L-169)
Ct.-24
(Susanta)

W.P.A. 14085 of 2022

Bokaro Chemical Industries & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Susanta Dutta,
Ms. Swapna Paul,
.... For the Petitioners.
Mr. Alak Kumar Ghosh,
Mr. A. K. Biswas,
.... For the K.M.C.

The order passed by the Special Municipal Commissioner (S) (R/S/P) Kolkata Municipal Corporation dated November 23, 2021 is impugned in the instant writ petition.

The impugned order has been passed in compliance with the direction passed by this Court in WPA 12627 of 2021 (Motilal Mahato Vs. The State of West Bengal & Ors.). By the said order the Court directed the Kolkata Municipal Corporation to intimate the petitioner about the fate of the mercy appeal that was filed.

The respondent Corporation communicated the reason for not allowing the mercy appeal it has been mentioned that the consignment of the petitioners did not confirm the IS specification (stipulated under the tender clause) as will be evident from the test report.

It further mentioned that the consignments which fulfilled the IS specification were duly

taken into account and payments were made accordingly.

The petitioner submits that the test report was filed by the Kolkata Municipal Corporation and accordingly, the consignments ought to have been treated as valid ones.

I have heard the submission made on behalf of the petitioner. The direction of the Court was to intimate the petitioner the fate of the mercy appeal, which has been duly complied with. The Corporation is of the opinion that the consignment did not confirm the IS specification.

The Court does not find any error in the order impugned, accordingly no relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)