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09.10.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No.22292 of 2023

Matangini Karmaddogi
Mahila Sangha
Vs.
The State of West Bengal & Ors.

Mr. Satrajit Sinha Roy,
Ms. Amrita Maji,
Ms. Paramita Sahu
...for the petitioner

Mr. Biswabrata Basu Mallick,
Ms. Parna Roy Choudhury
...for the State

Mr. Nilotpal Chatterjee
...for the respondent no. 3

1. Learned counsel appearing for the petitioner submits that the petitioner has been granted contracts repeatedly for supplying food under the ICDS Project by the State Government.

2. However, subsequently, without assigning any reasons, the contract of the petitioner was not renewed. It is argued further that even the bills for nutritious food already supplied by the petitioner have not been cleared by the respondent-authorities.

3. Learned counsel for the State contends that the petitioner has not annexed certain documents to the present writ petition, which indicate that

admittedly the petitioner supplied inferior quality food.

4. Learned counsel for the petitioner refutes the same and contends that the representations of the petitioner were also not considered by the respondent-authorities.

5. It is well-settled that merely because contracts were granted for several periods to a particular contractor, no legitimate expectation or right accrues in favour of such contractor to get further contracts. The contracts, admittedly, were for limited periods, for six months at each instance, and have since expired.

6. Hence, there is no right of the petitioner, either legal or constitutional, which has been flouted by the respondent-authorities by not granting fresh contract to the petitioner.

7. Even without going into the issue of the quality of food supplied by the petitioner, the petitioner does not have a legal right which has been infringed to give rise to a cause of action for the present writ petition. However, insofar as the pending bills of the petitioner are concerned, the respondents are duty-bound to clear those.

8. Accordingly, W.P.A. No.22292 of 2023 is disposed of by directing the respondent-authorities to disburse the due amounts to the petitioner, if

any, in terms of the bills raised by the petitioner for the food supplied by the petitioner.

9. For such purpose, the petitioner shall re-furnish copies of the petitioner's pending bills to the respondent-authorities within a week from date.

10. Upon such documents being furnished, the respondent-authorities shall disburse the due amounts, subject to the satisfaction of the respondents as to the veracity of the bills, within a month thereafter.

11. In the event the respondent-authorities have any doubt regarding the veracity of such bills, the respondents shall give an opportunity of hearing to the petitioner on such count before disbursing the due amounts.

12. There will be no order as to costs.

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

Sabyasachi Bhattacharyya, J.