

Item No.35

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

18.10.2023
Ct-24

WPA 25358 of 2023
Biplab Saha & Anr.

v.

The State of West Bengal & Ors.

Ms. Salma Sultana Shah
... for the petitioners.

Mr. Lalit Mohan Mahata
Mr. Rudranil De
... for the State.

The petitioners are aggrieved by the notice inviting e-tender at the instance of the Pradhan of the Gram Panchayat.

According to the petitioners, the decision to invite the e-tender was not adopted in the meeting of the Upa Samity. The meeting of the Upa Samity was not held at all.

The petitioners contend that the opposition leader was not intimated to attend the meeting, if at all the same was held.

An objection has been filed before the Block Development Officer on October 12, 2023. The same is yet to be disposed of.

From the notice inviting e-tender it appears that the same was published on October 11, 2023 and the deadline for receiving the bids online is November 1, 2023. The time and date of opening the technical bids online is November 3, 2023 and the last date for submission of the original copy of all uploaded documents is November 2, 2023.

As it appears that there is still some time left before the last date for receiving the bids and the objection of the petitioners is pending consideration before the Block Development Officer, accordingly, the writ petition is not kept pending.

The same is disposed of by directing the Block Development Officer, Manikchak Development Block to consider the objection filed by the petitioners on October 12, 2023 in accordance with the relevant Rules after giving an opportunity of hearing to the necessary parties including the Pradhan and the members of the Upa Samity and the Nirman Sahayak.

If it appears to the Block Development Officer that the required Rules were not followed at the time of publishing the notice of e-tender, then the said tender shall not be proceeded any further.

Steps shall be taken in the matter at the earliest.

The e-tender will not be finalized till the objection of the petitioners is decided by the Block Development Officer.

The writ petition stands disposed of.

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

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(Amrita Sinha, J.)