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01.03.2023
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A 25 of 2023
IA No. CAN 3 of 2023
CAN 4 of 2023**

**Ashok Kumar Sarkar
-versus
West Bengal State Warehousing
Corporation & Ors.**

**Mr. Jayjit Chowdhury,
Mr. Rohit Agarwal,
Mr. Abhishek Singh.
...For the Petitioner.**

**Mr. Bikramaditya Ghosh.
...For the State Warehousing
Corporation.**

**Ms. Rima Sarkar.
...For the Respondent No.4.**

**Mr. Nabankur Paul,
Mr. Sagnik Bhowmik.
...For the Respondent No.5.**

**Mr. Dhiraj Lakhotia.
...For the Respondent No.6.**

Supplementary affidavit filed on behalf of the petitioner in Court today is taken on record.

Heard detailed submissions made on behalf of both the parties.

The petitioner is aggrieved by the steps taken by the respondent Corporation in the technical evaluation stage of the tender process.

Objection was filed by the petitioner but the same has been alleged to be disposed of in a slip shod manner.

Since the writ court is not the appropriate forum which can go into the merits of the matter, accordingly, the entire issue is relegated to the Tender Evaluation Committee to consider and decide the issues raised by the petitioner after giving an opportunity of hearing to all the necessary parties and thereafter pass a reasoned order and communicate the same to the parties.

All the parties shall be permitted to rely upon documents/circulars/memoranda in their favour.

A decision shall be taken by the Tender Evaluation Committee in accordance with law and the Notice Inviting Tender at the earliest, but latest by 10th March, 2023.

Notice of hearing may be served upon the necessary parties at the email addresses provided by them.

Necessary remedial step shall be taken if the grievances raised by the petitioner appear to be genuine. Work order may be issued only after a final decision is taken in the matter.

It is made clear that this order is only restricted to the godown appearing at serial no. 33 NJP RKVY.

The writ petition and the connected applications stand disposed of.

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

(Amrita Sinha, J.)