

16.05.2024
Item No.6
gd/ssd

MAT/85/2024
IA NO: CAN/1/2024
BINDU SINGH
VS
UNION OF INDIA AND ORS.

Mr. Arunangshu Chakraborty,
Mr. Chirantan Sarkar,
Mr., Niraj Kumar Singh,
Mr. Arijit Kumar Bera,
Ms. Zeba Rashid,
Ms. Shaika Amin
..for the Appellant.

Mr. Nilanjan Bhattacharjee
..for the Union of India.

1. This intra court appeal is directed against the order dated 22nd December, 2023 in WPA 25644 OF 2023 by which the writ petition filed by the appellant challenging certain clauses in the tender document was dismissed.

2. Admittedly, the appellant has also participated in the tender process and, therefore, cannot challenge the tender conditions.

3. That apart the learned Single Bench has examined the factual position and found that the pre-qualification criteria has been fixed in such a manner that the intending bidder must have successfully completed works like supply of drinking water/sprinkling of water on roads or having

experience in Civil Engineering or plumbing and sanitary works.

4. Thus, the learned Single Bench rightly held that it was an option given to the intending bidder to possess any one of the pre-qualification criteria. The other aspect of the matter has also been considered by the learned Single Bench and the writ petition was dismissed.

5. That apart as of now the tender has been awarded and nothing more required to be adjudicated in the matter.

6. For the above reasons, we find no grounds to interfere with the order passed by the learned Single Bench and the same is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)