

Court No. 1
(266111)

WPA(P) 258 of 2024

04.07.2024

(AD 20)

(S. Banerjee/AN)

Abbasuddin Seikh & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Samim Ahammed
Mr. Arka Nandi
Ms. Ambiya Khatoon
Ms. Saloni Bhattacharya

...for the petitioners

Mr. Jaharlal De
Mr. Shamim ul Bari

...for the State

1. In this public interest litigation the petitioners allege that the road-work which was to be completed in pursuance to a tender invited by the Rural Road Network Management Unit, Malda Zone, pursuant to a tender notification dated 12.05.2023, is not as per the specifications contained therein. The petitioners have been able to obtain a copy of the tender notification and the alleged representation that the quality of the work is not in terms of the tender condition.
2. However, to substantiate the same there is no material before this court. That apart, the successful tenderer who has to execute the work within a period of 12 months, which appears to have already been over by now, has not been impleaded as a respondent. In terms of the tender condition, there is a defect liability period of five years.

3. Therefore, on such vague allegations no writ of Mandamus as sought for, can be granted.
4. The parties are expected to verify the work done by the contractor/successful tenderer is in accordance with the tender conditions/specifications.
5. With the above observation, this writ petition is disposed of.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)