

WPA 20273 of 2024
Serajul Islam & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Tirupati Mukherjee,
Mr. Mridul Biswas

...for the Petitioner

Mr. Sankar Prasad Dalapati,
Mr. Tamal Taru Panda

...for Respondent No. 5

Mr. Lalit Mohan Mahata,
Mr. Ziaul Haque

...for the State

The petitioners challenge an order dated July 19, 2024, issued by the Block Development Officer of Kaliachak-III Development Block, Baishnabnagar, Malda, which extended the tender procedure for seven days, effective from that date, concerning two tenders issued by Charianantapur Gram Panchayat through notices dated June 14, 2024.

He submits that the extension of the bidding period permitted additional tenderers to participate in the process, thereby prejudicing his right.

The learned advocate for the petitioners contends that, pursuant to the West Bengal Panchayat (Gram Panchayat Accounts, Audit and Budget) Rules, 2007, and the West Bengal Gram Panchayat Procurement Manual, it is the Artha-o-Parikalpana Upa-Samiti of the Gram Panchayat that is authorized to act as the

tender selection committee on behalf of the Gram Panchayat.

The petitioners argue that the impugned order dated July 19, 2024, was issued without jurisdiction, as it was not sanctioned by said Upa-Samiti.

It appears that the Block Development Officer extended the tender process for seven days in compliance with an order passed in WPA 16945 of 2024. As the Executive Officer of the Panchayat, the Block Development Officer is responsible for the overall functioning of the Panchayat; thus, it cannot be asserted that the order was issued without jurisdiction.

On behalf of the Pradhan, Mr. Dalapati, the learned advocate, indicated that, in accordance with the order dated July 19, 2024, the Panchayat has issued notifications inviting bids within the extended timeframe; however, the technical bids have not yet been opened.

In light of the aforementioned facts, I am not inclined to accept the petitioners' contention.

Accordingly, I dispose of this writ petition without interfering with the order dated July 19, 2024, issued by the Block Development Officer. The Panchayat shall complete the tender process in

accordance with the law as expeditiously as possible.

Accordingly, **WPA 20273 of 2024** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)