

26.09.2024
Sl. No.93
Ct. No.15
S.A.

WPA 24524 of 2024

**M/s. Popular Enterprise & Anr.
-vs-
The State of West Bengal & Ors.**

Mr. Anup Dasgupta
Ms. Megha Datta

...for the petitioners

Mr. Suman Sengupta
Ms. Amrita Panja Moulick

...for the State

The petitioner no.2 submits that he participated in an e-tender floated by a notice dated August 1, 2024, by Block Development Officer, Nandigram-I Block, Purba Medinipur.

Challenging the non-consideration of the bid, the petitioners have approached this Court.

Learned advocate appearing for the State submits that the petitioner no.2 is the prime accused in a murder case related post poll violence. He has further drawn attention of this Court to an order dated October 6, 2023, passed by a Division Bench of this Court that directed petitioner no.2 not to enter the district of Purba Medinipur until further orders. He further submits that in connection with the e-tender, the petitioner no.2 was required to file an affidavit in support of his credentials.

The authority found that the petitioner no.2 in violation of the order dated October 6, 2023, has affirmed an affidavit in Purba Medinipur.

I am not inclined to interfere with the action of the respondent authorities. Petitioner no.2 has violated the order dated October 6, 2023, which is still operative. The petitioner no.2 has participated in the tender process in violation of the said order. The apprehension of the authority is justifiable, in the event the petitioner no.2 were to be awarded the work order, he would not be in a position to execute the same since the work order needs to be executed within the district of Purba Medinipur within a period of 60 to 90 days from the date of issuance of the work order.

Learned advocate appearing for the petitioners submits that petitioner no.2 has already applied for modification of the order dated October 6, 2023. Admittedly, the said order has not yet been modified.

Keeping in mind the gravity of the allegations against petitioner no.2 and his conduct in participating the tender in violation of the order of the Division Bench, I am not inclined to interfere with the administrative discretion of the authority.

Accordingly, **WPA 24524 of 2024** is dismissed.

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

(Kausik Chanda, J.)