

07.10.2024
Sl.No.8
Ct. No.15
S.A.

WPA 25103 of 2024

Rajendra Kumar Shaw

-vs-

The State of West Bengal & Ors.

Mr. Shahan Shah
Mr. Soumen Barman
Mr. Umenun Khan

...for the petitioner

Mr. Atanu Biswas

...for respondent nos.4 to 6

Mr. Anindya Ghosh
Ms. Sumita Sarkar

...for respondent no.8

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee

...for the State

Kalna Municipality issued an auction notice dated July 23, 2024, regarding the granting of a lease for the Kalna Nrisinghapur Ferry Ghat. The petitioner submitted a bid in response to the tender notice on August 16, 2024. By filing WPA 21832 of 2024, the petitioner contended that his bid was arbitrarily rejected by the Municipality. The Municipality's stand before this Court was that there was a "misconfiguration" in the system that resulted in the non-acceptance of the petitioner's bid.

On September 9, 2024, this Court passed an order setting aside the entire tender process initiated under the notice dated July 23, 2024.

The petitioner has since approached this Court, contending that instead of issuing a new tender

notice, the Municipality has settled the ferry service in favor of respondent No. 8.

The learned advocate representing the Municipality submits that the ferry ghat has been temporarily settled in favor of respondent No. 8 for a duration of 72 days, pending the issuance of a new tender through a fresh e-auction. He submits that the Municipality cannot issue a new tender notice without convening a meeting of the Board of Councillors, which cannot take place immediately due to the upcoming Puja Vacation. However, he indicated that the Board of Councillors is expected to meet on October 28, 2024, and that the Municipality is expected to issue a fresh e-tender within seven days thereafter.

In light of the above, I find no justification to interfere with the settlement made in favor of respondent No. 8 at this stage. I direct the Municipality to issue a fresh e-tender as soon as possible, but no later than two months from the date of this order.

Accordingly, **WPA 25103 of 2024** is disposed of.

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

(Kausik Chanda, J.)