

25-11-2024
Item No.23
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.27025 of 2024
Moon Light Construction and Star Gold Enterprise
-vs-
The State of West Bengal & Ors.

Mr. Robiul Islam
Mr. Shamil ul Bari
Ms. Jhilik Singha ...for the petitioner

Mr. Dipanjan Datta
Mr. Soumen Chatterjee ...for the State

Mr. Pinaki Dhole
Mr. Sayan Datta ...for respondent no.6

Mr. Subhajit Chowdhury ...for respondent no.7

1. The petitioner participated in a tender process and its bid stood rejected in the technical stage on October 24, 2024 and the status of the petitioner's bid was updated in the official portal immediately thereafter.
2. The petitioner alleges that even though it was technically eligible to participate in the bid, the authority illegally rejected the bid of the petitioner.
3. It appears that the writ petition challenging the rejection of the petitioner's bid was filed on November 8, 2024, and in the meantime, I am told, the tender has been finalized and work order has already been issued in favour of the successful tenderers.
4. Learned advocate representing the successful bidders submits, upon instructions that, work has already commenced.

5. Under such facts and circumstances, the Court is not inclined to exercise jurisdiction in the writ petition. Had the petitioner been genuinely aggrieved by its rejection, it ought to have approached the Court on an earlier date.
6. The writ petition thus fails and is hereby dismissed.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]