

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

21. 11. 2024

BP
Sl. 27
Court No. 14

WPA 27063 of 2024

**Kanishk Global Solutions Private
Limited & Anr.**

Vs.

The State of West Bengal & Ors.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Sandip Kumar De
Mr. Abhijit Sarkar

..for the petitioners

Mr. Swapan Kumar Dutta, Sr. Adv.
Mr. Arindam Mandal

..for the State

1. Affidavit of service filed by the petitioners is taken on record.
2. The matter relates to a tender floated by the Superintending Engineer, Central Highway Circle for the work of collection of toll on Shree Gouranga Setu over river Bhagirathi at Nabadwip in the District of Nadia under Nadia Highway Division-I. The petitioners participated in response to the notice inviting tender but the bid stood rejected in the pre-qualification stage on the ground that the credential was not satisfactory. The petitioners are aggrieved by the manner in which the bid has been cancelled.
3. An objection has been filed by the petitioners before

the Superintending Engineer on 6th November, 2024. The same is alleged to be kept pending.

4. Learned senior counsel representing the respondents submits, upon instruction that, out of seven bidders only one bidder i.e. the petitioners submitted credential certificate where the amount of toll collection was not mentioned. One of the documents in support of the credential of the petitioners has been found to be fake. On detection of the same the bid of the petitioners stood rejected.

5. Upon hearing the submission made on behalf of both the parties as it appears that a representation by the petitioners is pending consideration before the Superintending Engineer challenging the rejection, accordingly, the instant writ petition is disposed of by directing the Superintending Engineer to communicate the petitioners the reason for rejection of its bid at the earliest but positively by 26th November, 2024 so that the petitioners may take up the issue before the appropriate forum.

6. Learned advocate for the petitioners is directed to forward a copy of the representations seeking consideration of the aforesaid authority at the time of communicating the order of the Court.

7. It is expected that till the representation filed by the

petitioner is finally disposed of, the financial bid will not be opened by the authority.

8. The writ petition stands disposed of.

9. As the writ petition is being disposed of without calling for any affidavits, the allegations made therein are deemed not have been admitted by the respondents.

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

(Amrita Sinha, J.)

