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16.12.2024
Ct. No. 17
SB

W.P.A. 28883 of 2024
S.P. Construction & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Jaydip Kar, Sr. Adv. (via vc mode)
Mr. Arka Kumar Nag
Mr. Ratikanta Pal ... for the petitioners

Mr. Anirban Roy
Md. T.M. Siddiqui
Mr. Nilotpal Chatterjee
Mr. T. Chakraborty
Mr. D. Sabu ... for State

Leave is granted to file second supplementary affidavit. As filed by the petitioners, the same is taken on record. Copy of the same has been served upon the learned counsel for the respondents.

Learned senior counsel representing the petitioners submits as follows. The petitioner is the L-1 bidder in respect of the auction process in question. Even after the price bid was opened, some other intending bidders purportedly objected to the petitioner's candidature. This cannot be done in view of Clause (P) of the Notice Inviting E-Quotation. In fact, Clause (P) is quite independent of Clause (O) contained in the said document.

Let the Tender Evaluation Committee decide the matter in accordance with law and upon taking into account all the clauses of the E-Tender Invite and as per the stand, if any, taken by the State Government in this regard.

Learned counsel appearing on behalf of the respondents denies the allegations and submits that even the L-1 bidder can hardly have a right to insist that his bid should be accepted. The Tender Evaluation Committee shall decide everything in accordance with law.

In view of the above, it is expected that the Tender Evaluation Committee would decide the fate of the tender in accordance with law and as expeditiously as possible.

No further order need be passed in this regard.

With these observations the writ petition is disposed of.

As no affidavit called for, the allegations made are deemed not to have been admitted.

Parties shall act on server copy of this order duly downloaded from the official website of this Court.

(Jay Sengupta, J.)