

18
07.04.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 224 of 2025

**Sri Nirupam Chandra Das
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Halder,
Mr. Sk. Zuben Ahmed,
Mr. Roumyadip Saha.
...For the Petitioner.**

**Mr. Ritesh Kumar Ganguly.
...For the State.**

**Mr. Abhishek Banerjee,
Ms. Parna Roy Choudhury,
Ms. Payel Ghosh.
...For the Respondent No.6.**

**Mr. Debapriya Samanta,
Mr. Suhotro Palit.
...For the Respondent No.8.**

1. Affidavit of service filed in Court today is taken on record.

2. The matter revolves around a tender floated by the Prafulla Chandra Sen Government Medical College & Hospital.

3. The petitioner and the private respondent both participated in the tender process. The petitioner emerged as L2 bidder and the private respondent was the L1 bidder.

4. A complaint was lodged by the petitioner before the Principal/Superintendent of the Medical College and Hospital mentioning several illegalities on the part of the private respondent.

5. The petitioner alleges that the said representation has not been taken up for consideration.

6. Learned advocate appearing on behalf of the State respondents is not aware as to whether the objection of the petitioner was considered or not.

7. Learned advocate appearing on behalf of the Bank submits that the solvency certificate annexed at pages 76 and 77 of the writ petition are not beyond doubt.

8. Learned advocate appearing on behalf of the private respondent denies the allegation made against it.

9. It appears that the tender was floated for providing goods and services. The Medical Superintendent-cum-Vice Principal, the respondent no. 4 will be the competent authority to look into the issue.

10. In view of the above, the instant writ petition is disposed of by directing the respondent no. 4 to take steps to consider and dispose of the objection filed by the petitioner, if not disposed of earlier, in accordance with law, after giving reasonable opportunity of hearing to the representative of the petitioner, the private respondent and the Bank by passing a reasoned order.

11. If the allegations of the petitioner appear to be proper, then immediate remedial steps shall be taken by the said respondent.

12. Steps shall be taken in the matter at the earliest but positively within a period of four weeks from the date of communication of this order.

13. Learned advocate for the petitioner is directed to forward a copy of the subject representation

to the aforesaid respondent at the time of communicating the order of the Court.

14. The writ petition stands disposed of.

15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)