

26.03.2025  
Item No.1  
Ct. No.01  
RP/SM

**RVW 16 of 2024**  
**with**  
**CAN/1/2025**

**India Power Corporation Ltd. (IPCL)**  
**Vs.**  
**The State of West Bengal and Ors.**

Mr. L.K. Gupta, Sr. Adv.  
Mr. Abhrajit Mitra, Sr. Adv.  
Mr. Sukanta Chakraborty, Adv.  
Mr. Anindya Halder, Adv.

....For the Applicant

Mr. Manoj Munshi, Sr. Adv.  
Ms. Usha Doshi, Adv.

....For the Respondent Nos.3 & 4

Mr. Pinak Kumar Mitra, Adv.  
Ms. Subhanwita Ghosh, Adv.

....For the Respondent No.7

1. This review application has been filed seeking for appropriate orders in an appeal being MAT 1620 of 2023, which was disposed of vide order dated 14<sup>th</sup> December, 2023. In the said order the court recorded the submissions of the appellant that they are accepting the order of cancellation of the tender forfeiture of security deposit and debarment and the only prayer sought for was that this should not affect them from participating in tenders that may be invited by third parties. In this regard, the following observation was made by this court:-

*“3...However, all that can be observed is that the effect of the order passed by the respondent nos.3 and 4 cancelling the tender awarded, forfeiture of security deposit and debarment will be relatable only to the subject tender and it is well open to the appellant to participate in the tender that may be invited by third party entities and it is for the third parties to take*

*a decision in the matter subject to the terms and conditions of those tenders...”*

2. We have heard the learned senior advocates appearing for the review applicant as well as private respondents. The learned senior advocate for the review applicant submitted that several third party entities are not even issuing tender forms to the applicants because of the debarment and seeks appropriate clarificatory orders.
3. So far as the order of debarment is concerned, the same stands and it will remain in force for a period of three years. Therefore, all that we can observe in the review application is that the period of debarment is only for three years and said stigma cannot travel beyond the said period. The applicant is at liberty to take such stand before third party entities while participating in the other tenders.
4. With the above clarification, the review application along with the stay application being CAN/1/2025 stands disposed of.

**[T.S. SIVAGNANAM]**  
**CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**