

12.11.2025
Sl No.A572
Ct. No.15
S.A.

WPA 2716 of 2025

Sk. Bishal & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Ziaul Haque

... for the petitioners

Mr. Amal Kumar Sen

Mr. Lal Mohan Basu

...for the State

Learned advocate appearing for the petitioners submits that they had submitted their bid pursuant to a tender issued by the Bhatar Panchayat Samity, Bhatar, Purba Bardhaman, through a tender notice dated September 25, 2024. It is the grievance of the petitioners that although they were the lowest bidders, the work order has not been issued in their favour.

On behalf of the State, Mr. Amal Kumar Sen, learned advocate, submits that pursuant to the said tender notice, the Panchayat Samity received five bids. Out of those five bids, only the petitioners' bid was found to be technically acceptable. Consequently, the petitioners participated in the financial bid. The Tendering Authority, however, could not proceed further with the tender process.

Reference is made to the notification dated June 25, 2012, issued by the Finance Department, which, inter alia, provides that in the case of a two-bid system, if the number of bidders qualifying in the

technical bid is less than three, the tender is required to be invited afresh.

In view of the aforesaid notification, it cannot be said that the Tendering Authority acted arbitrarily in not proceeding further with the tender process initiated by the notice dated September 25, 2024.

Accordingly, **WPA 2716 of 2025** stands disposed of.

Let a copy of the notification dated June 25, 2012, be kept on record.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)