

07-02-2025
Item No.5
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.2807 of 2025

Sandip Halder

-vs-

The State of West Bengal & Ors.

Mr. Saptansu Basu, sr. adv.
Mr. Swarup Paul, adv.
Mr. Surya Maity, adv. ...for the petitioner

Mr. Biswabrata Basu Mallick, AGP
Mr. Biman Halder, adv. ...for the State

Mr. Firdous Samim, adv.
Ms. Gopa Biswas, adv.
Ms. Sampriti Saha, adv. ...for respondent no.15

1. The petitioner relies upon a notification being No.3103-F(Y) dated July 27, 2022 (Annexure P3, p.67) issued by the Additional Chief Secretary to the Government of West Bengal, Finance Department, Audit Branch in support of the submission that for tender value of Rs.1 lakh and above, e-tender through the centralized e-tender portal is mandatory, in addition to publication in print media.
2. It has been submitted that the respondent authority has not floated any tender for more than three years. By way of stop-gap arrangement, some self-help groups are being engaged to supply food materials which is contrary to the aforesaid notification.
3. Prayer has been made to direct the respondents to take steps in terms of the said notification

dated July 27, 2022.

4. Learned counsel representing the State submits, upon instructions that, the authority has taken a decision to float e-tender at the earliest in terms of the notification dated July 27, 2022 for running the canteen service.
5. As it appears that the concerned respondent authority, in principle, has taken a decision to float a fresh tender in terms of the subject notification, accordingly, the instant writ petition is disposed of by directing the appropriate authority to take steps for floating the tender at the earliest.
6. The expression 'at the earliest' shall not be stretched to such an extent so that the petitioner is required to approach the Court all over again for the same relief.
7. Affidavit of service filed in Court be taken on record.
8. Written instruction filed by the State is also taken on record.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

