

D/L 4
14.02.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 3313 of 2025

Maa Sarada Radymade Garment Co-operative Society
Limited

Vs.

The State of West Bengal & Ors.

Mr. K.C. Das
Mr. Sk. Sahjahan

...for the Petitioner.

Mr. Md. Galib
Ms. Priyamvada Singh

...for the State.

1. Affidavit of service filed in Court today is taken on record.
2. The matter relates to an e-tender notice being tender no. 1776/NIT/DRDC floated by Anandadhara District Office, District Mission Management Unit & District Rural Development Cell.
3. The petitioner and the private respondent participated in the tender process in response to the said notice inviting e-tender. Both were successful till the technical bid stage. In the financial bid stage, the respondent no. 9 emerged as the L1 bidder and all papers and documents found to be in order, the work order was issued in favour of the said respondent on 29th January, 2025.
4. The petitioner being unsuccessful in the financial bid, contends to have conducted an enquiry by itself and the petitioner came to learn that the documents relied upon by the private respondent are all fake and fabricated ones. The said documents are manufactured only for the purpose of participating in the subject tender.

5. Prayer has been made to direct the tender inviting authority to reject the bid of the private respondent.
6. Learned counsel representing the State respondents relies upon the instruction forwarded by the Project Director signed on 13th February, 2025 which mentions that both the bidders passed the technical bids and also the physical verification. It is only after the financial bid when the private respondent outbid the petitioner and was, accordingly, issued the work order.
7. It has been brought to the notice of the Court that, this is the first year where public auction has been called for, for supplying the uncut dress material for school uniform. Prior to this year, the petitioner was handpicked for the said purpose. As the petitioner was unable to qualify in the tender process, accordingly, the instant writ petition has been filed, that too, long after the issuance of the work order in favour of the private respondent.
8. On hearing the parties and on perusal of the materials on record, it is evident that the writ petition has been filed long after the issuance of the work order. It is presumed that the work order was issued after proper verification of the documents placed by the parties.
9. As the petitioner asserts that the documents relied upon by the private respondent are all fake and fabricated, accordingly, leave is granted to the petitioner to file a comprehensive representation annexing documents in support of its stand.
10. The Project Director shall consider the said objection to ascertain as to whether the allegations made by the petitioner are proper or not.
11. In the event it appears that the allegations made by the petitioner are proper then, necessary remedial steps shall be taken.
12. The writ petition stands disposed of.

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

(Amrita Sinha, J.)