

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

HEARD ON: 19.02.2025

DELIVERED ON: 19.02.2025

**CORAM:
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE JUSTICE CHAITALI CHATTERJEE (DAS)**

M.A.T. 200 of 2025

With

I.A. No. CAN 1 of 2025

Sabita Mandal

Vs.

The State of West Bengal & Ors.

Appearance:-

Mr. Gangadhar Das

Mr. Tanmoy Chattopadhyay

Ms. Shreya Banerjee

.....For the Appellant

Mr. Nilotpal Chatterjee

Mr. Amrita Lal Chatterjee

.....For the State

Ms. Sarmila Das

Ms. Jagajyoti Guha

.....For the Respondent Nos.3 & 8

Mr. Atarup Banerjee

Mr. Rajdeep Pramanick

.....For the Intervenors

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal filed by the unsuccessful writ petitioner is directed against the order dated 10th February, 2025 in W.P.A. 974 of 2025.
2. The learned Single Bench noted that the appellant/writ petitioner did not satisfy the eligibility criteria, as mentioned in Clause 2.0 of the notice inviting tender. Apart from that the writ petitioner's challenge is to the terms and conditions of tender especially the requirement to produce certificate by the competent authority not below the rank of Executive Engineer. In the writ

petition, the petitioner has contended that such condition is irrational and cannot be enforced.

3. The petitioner being a participant in the tender is estopped from challenging the tender conditions. Apart from that, the tender process has been completed and work order has been issued.
4. Thus, we find no ground to interfere with the impugned order passed by the learned Single Bench.
5. Accordingly, appeal fails and is dismissed.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(CHAITALI CHATTERJEE (DAS) J.)