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11.03.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 5620 of 2025

**National Consumers Cooperative Store Ltd.
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Lahiri,
Mr. Arkadipta Sengupta,
Mr. Tirthankar Dey,
Mr. Anish Chakraborty.
...For the Petitioner.**

**Mr. Rajarshi Basu,
Mr. S.T. Mina.
...For the State.**

1. The matter relates to a tender process for selecting carrying-cum-storing contractors of food stuff for different ICDS Projects under Murshidabad.

2. The terms and conditions of the tender mentions that the agent should mention his rate for carrying-cum-storing per quintal irrespective of distance including loading and unloading charges. The charges will be admissible only for the actual quantity of food stored and carrying. The agent should have own/rented godown. The authority had the discretion to reject bids where absurd rates are offered.

3. The petitioner is concerned with the project at Samserganj. For the year 2023, the petitioner was selected as the lowest bidder with the rate 74.85.

4. In the year 2024, the petitioner participated in the auction but failed to emerge as the L1 bidder.

5. The L1 bidder quoted the rate of 0.95. The petitioner contends that the rate quoted by the L1

bidder is absurd and a contractor cannot quote such low rate.

6. I have heard the submissions made on behalf of both the parties.

7. The memo which discloses the approved rate per quintal for the year 2024-25 is annexed to the writ petition. The approved rates in respect of the ICDS projects in the District of Murshidabad are mentioned therein.

8. It appears that most of the bidders have quoted rate below Re. 1/- and the authority has accepted the rate in respect of the other ICDS projects in the District of Murshidabad.

9. Learned advocate appearing on behalf of the State respondents submits that this is the usual rate which the other bidders have also quoted in respect of other projects and the authority denies the contention of the petitioner that the rate quoted by the L1 bidder is absurd.

10. It is for the authority to ensure that the project is successfully concluded by the selected bidders.

11. The writ petition at the instance of an unsuccessful bidder fails and is hereby dismissed.

12. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)