

14
16.04.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 6539 of 2025
(CAN 1 of 2025)

National Federation of Farmers' Procurement,
Processing and Retailing Cooperatives of India
Limited (NACOF) & Anr.

Vs.

The State of West Bengal & Ors.

Ms. Moushumi Bhowal
Mr. Aman Gupta
Mr. Ishan Bhattacharya

...for the Petitioners.

Mr. Swapan Kr. Dutta, Ld. AGP.
Mr. Rajat Dutta

...for the State.

1. The petitioners' bid stood cancelled at the Technical Evaluation Stage. The petitioners submit that the Bank Debit Advice ought to have been treated as proper eligible criteria for allowing the petitioners to participate in the tender process.
2. It appears that a similar issue has been decided by the Hon'ble Division Bench of this Court on 8th April, 2025 in **MAT 476 of 2025 IA NO: CAN/1/2025 (National Federation of Farmers' Procurement, Processing and Retailing Cooperatives of India Limited and Anr -Vs- State of West Bengal & Ors.)** wherein the Court held that the bidders having participated in the tender process are bound to comply with the conditions contained in the tender notification.
3. In the instant case it appears that production of the Bank Debit Statement is not a part of the eligibility criteria.
4. In view of the above, the Court is of the opinion that the act of the respondent in rejecting the petitioners' bid for

relying upon the Bank Debit Statement cannot be faulted as the same is not the eligibility criteria.

5. Accordingly, the writ petition fails and is hereby dismissed.
6. The connected application is also disposed of.
7. 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.)