

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION

WPA 6820 of 2025

D.D. Enterprise
Vs.
The State of West Bengal & Ors.

Mr. Md. Sarwar Jahan.
Mr. Sayantan Hazra.
Ms. Tapati Sarkar.

...for the petitioner.

Mr. Nilotpal Chatterjee.
Mr. Amrita Lal Chatterjee

...for the State.

Mr. Mahendra Kumar Gupta.
Mr. Abhishek Sikdar.
Ms. Sahili Dey.

...for the respondent nos. 4 and 5.

Mr. Sayan Chattopadhyay.
Mr. Payel Shome.

...for the private respondent no. 7.

1. The petitioner is aggrieved by the steps taken by the West Bengal Small Industries Development Corporation Limited in proceeding to select the bidders pursuant to the Notice Inviting E Tender bearing Memo No. SBI/0471/7/24-25 dated 05.02.2025.
2. The petitioner has been disqualified at the technical bid stage.
3. The petitioner has filed objection before the Tender Inviting Authority objecting to the selection of the respondent no. 7.
4. Learned advocate representing the Tender Inviting Authority submits, upon instruction that, as the petitioner failed to produce all documents in support of its credentials including the trade license and the documents in connection with the partnership firm, the petitioner has been disqualified at the technical evaluation stage.

5. Learned advocate representing the private respondent no. 7 submits upon instruction that the work order has already been issued in his favour on 22.03.2025.
6. Be that as it may, as it appears the objection is pending consideration before the respondent no. 3, Managing Director, WBSEDCL, accordingly, the instant writ petition is disposed of by directing the respondent no. 3 to consider the said representation strictly in accordance with the tender document. If required the tender inviting authority may grant an opportunity of hearing to all the necessary parties. It will be open for the respective parties to produce and rely upon documents in support of their respective stand which were already uploaded at the time of submission of the bid.
7. A reasoned order shall be passed and intimated to the parties immediately thereafter.
8. If the contention of the petitioner appears to be proper, then necessary remedial steps shall be taken by the authority immediately.
9. Affidavit-of-service filed today in court be kept with the records.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)