

03
04.04.2025
d.p.

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

W.P.A 7082 of 2025

**Samim Sk.
-versus
The State of West Bengal & Ors.**

**Mr. Srijib Chakraborty,
Mr. Aditya Mondal,
Ms. Rupsa Sreemani,
Mr. Debdut Banerjee.
...For the Petitioner.**

**Sk. Md. Galib,
Mr. Abu Siddique Mallik.
...For the State.**

**Mr. Srikanta Dutta,
Mr. P.K. Ray.
...For the Intervenor.**

**Mr. Pratip Kumar Chatterjee, Sr. Adv,
Mr. Ashis Deb,
Ms. Maitrayee Chatterjee.
...For Samima Enterprise**

1. Supplementary affidavit by the petitioner filed in Court today is taken on record.

2. The petitioner is aggrieved by the cancellation of his technical bid. The petitioner participated in response to a Notice Inviting Tender dated 6th January, 2025 published by the West Bengal State Rural Development Agency and submitted his bid in respect of the serial nos. 26 and 28.

3. The petitioner submits that his bid was illegally and arbitrarily rejected. The petitioner rushed to the Court for relief without approaching the authority.

4. It has been brought to the notice of the Court that today (04.04.2025) work order has already been issued in favour of the successful bidder.

5. From the Notice Inviting Tender, it appears that Clause 22.6 clearly mentions that the result of evaluation of Part-1 (technical bid) shall be made public on e-procurement system following which there will be a period of five working days during which any bidder may submit complaint which shall be considered for resolution before opening Part-II (financial bid).

6. In the instant case, the petitioner did not avail the remedy that is already mentioned in the Notice Inviting Tender.

7. The petitioner, prior to moving the writ petition, ought to have approached the authority with his grievances.

8. At this stage, the Court is not inclined to exercise jurisdiction in the matter.

9. The writ petition fails and is hereby dismissed.

10. Instruction forwarded by the Executive Engineer, WBSRDA, Murshidabad Division and the work order is taken on record.

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

(Amrita Sinha, J.)