

04
10.06.2025
d.p.

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

W.P.A 8309 of 2025

**M/s. R S Technologies
-versus
Union of India & Ors.**

**Mr. Sanjib Bandyopadhyay.
...For the Petitioner.**

**Mr. Arun Kumar Upadhyay,
Mr. Anindya Sundar Das.
...For the Respondent
Nos. 1 to 5.**

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner challenges the speaking order dated 4th March, 2025 passed by the General Manager, Chittaranjan Locomotive Works.
3. The petitioner was aggrieved by cancellation of its bid at the technical evaluation stage.
4. The ground of challenge of the petitioner is that the guidelines published by the Government of India under the Make in India policy on 19th July, 2024 were not taken into consideration by the authority at the time of consideration of the bid.
5. The aforesaid contention of the petitioner stood negated by the authority with the observation that Make in India policy was published on 19th July, 2024 after the bids were opened.
6. It appears that the tender was opened on 10th July, 2024 by the authority prior to the publication of the Make in India policy. The bid status was declared on 3rd September, 2024.

7. The petitioner contends that the Make in India policy guidelines ought to have been followed by the authority, as the bid status was taken into consideration after the Make in India policy was published.

8. The Court is unable to accept the contention of the petitioner. The tender was floated prior to the Make in India policy being published and the authority is bound to follow the guidelines as applicable on the date of floating the tender. The authority was not required to follow the guidelines of the Make in India policy which came into existence after the bid was opened. The guidelines do not have any retrospective effect.

9. The Court is not inclined to interfere with the impugned order.

10. The writ petition fails and is hereby dismissed.

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.)