

11-04-2025
Item No.23
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.8442 of 2025
Nagory Innovative Arts Private Limited & Anr.
-vs-
Union of India & Anr.

Mr. Bikash Ranjan Bhattacharya, sr. adv.
Mr. Sabyasachi Chatterjee, adv.
Mr. Ashish Kothari, adv.
Mr. Suryaneel Das, adv.
Mr. Chiranjit Pal, adv.
Mr. Anish Gupta, adv. ...for the petitioners

1. The petitioners are aggrieved by the cancellation of their bid in the technical stage. They participated in a tender process floated by the South-Eastern Railway. By a communication dated April 1, 2025 the petitioners were intimated that the bidder has not fulfilled the required eligibility criteria. The petitioners immediately objected to the same by filing an objection on April 3, 2025.
2. It has been submitted that the work order is yet to be issued, and that the objection filed by the petitioners challenging the cancellation is still pending consideration before the authority.
3. None represents the respondents. Affidavit of service is on record.
4. As the petitioners have pleaded urgency in the matter saying that if the work order is issued, then the claim of the petitioners will become infructuous, accordingly, the Court is minded to interfere in the instant writ petition to a limited

extent.

5. Hence the Deputy Chief Engineer, South-Eastern Railway Rail Colony, the second respondent herein, is directed to immediately consider the objection dated April 3, 2025 raised by the petitioners by giving a reasonable opportunity of hearing to all the necessary parties.
6. If the allegation of the petitioners appears to be proper, then necessary remedial steps shall be taken by the authority.
7. Learned counsel for the petitioners is directed to forward a copy of the objection dated April 3, 2025 at the time of communicating the order of this Court.
8. It is expected that the objection of the petitioner shall be considered and disposed of prior to issuance of the work order, if the same has not been issued in the meantime.
9. The writ petition is disposed of.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

