

S/L 2
14.07.2025
Court. No. 19
Sourav

WPA 11456 of 2025

**Sushil Mahaldar
Vs.
The State of West Bengal & Ors.**

*Mr. Kushal Chatterjee
Mr. Oishik Chatterjee
Mr. Imdadul Hoque*

...for the petitioner.

*Mr. Mrinal Kanti Ghosh
Ms. Subhasri Chatterjee*

...for the State.

1. The affidavit-of-service as filed in Court today is taken on record.
2. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondents/authorities, for permitting him to allow pisciculture in terms of Auction Notice No. 01/MESD-I of 2024-25.
3. It is submitted by Mr. Chatterjee, learned advocate appearing on behalf of writ petitioner that pursuant to the said auction notice, the writ petitioner participated in the said auction and found to be the 2nd highest bidder.
4. It is further submitted by Mr. Chatterjee that since the highest bidder could not pay the highest bid amount as quoted by him, the writ petitioner being the 2nd highest bidder is entitled to get work order in terms of the said auction notice.
5. It is submitted by Mr. Chatterjee that from Page No. 19 of the instant writ petition, being a copy of the memo

dated 02.04.2025, it would reveal that the respondents/authorities, more specifically, the respondent no. 4/authority without assigning any reason therefor had cancelled the said auction notice as mentioned supra.

6. Mr. Chatterjee thus submits that it is a fit case for allowing the instant writ petition in terms of the prayers made in the instant writ petition.
7. Such prayer is opposed by Mr. Ghosh, learned advocate for the respondent/State.
8. On careful perusal of the entire materials as placed before this Court, it would reveal that the status of the writ petitioner as on this day is a mere participant in the said auction notice. It reveals that no materials could be placed before this Court that pursuant to the said auction notice, the respondent no. 4/authority has issued any work order in favour of the writ petitioner.
9. It reveals that by issuing a memo dated 02.04.2025, the respondent no. 4/authority cancelled the said auction notice.
10. It further appears to this Court that on account of cancellation of the said auction notice vide memo dated 02.04.2025, no prejudice is caused to the writ petitioner herein inasmuch as, as on this day no right has accrued in favour of the writ petitioner in terms of the said auction notice since the respondents/authorities, more specifically, the respondent no. 4/authority has issued no work order to the writ petitioner.

11. With the aforementioned observations, the instant writ petition being **WPA 11456 of 2025** is dismissed.
12. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)