

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

W.P.A 11387 of 2023

**M/s Paul and Co.
-versus
The State of West Bengal & Ors.**

**Mr. Jagannath Ganguly.
...For the Petitioner.**

**Mr. Sirsanya Bandopadhyay. SSC
Mr. Akash Dutta.
... For the State.**

**Mr. Raja Saha.
Mr. Sanjay Mukherjee.
Ms. Bahnidipa Roy.
...For the W.B. Information Commission.**

1. Learned advocate representing the State respondents submits, upon instruction from the MSVP, Medical College and Hospital, Kolkata that tender has not yet been floated for performing the work of repairing steel and wooden furniture of the hospital.

2. It appears that the earlier tender stood cancelled and the hospital is engaging persons on ad hoc basis to get the work done as per requirement.

3. The aforesaid stand of the respondent authority is being challenged by the petitioner. Allegation is that work is being distributed to the favoured persons devoid the provision of law.

4. As the payment for the work in question is to be made from the public exchequer, accordingly, the authority ought to take steps to ensure that proper tender process is conducted for engaging persons for performing the works. Pick and choose method cannot be allowed to be followed.

5. The writ petition, accordingly, stands disposed of by directing the MSVP, Medical College and Hospital, Kolkata to take steps to conduct auction process to select competent persons for performing the work of repairing steel and wooden furniture in accordance with law without any further delay but positively within a period of four months from the date of communication of this order.

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

(Amrita Sinha, J.)