

41
02.09.2025
d.p.

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

W.P.A 13100 of 2025

**Radha Bimala Enterprise
-versus
The State of West Bengal & Ors.**

**Mr. Md. Sarwar Jahan,
Mr. Sayantan Hazra,
Ms. Tapati Sarkar.
...For the Petitioner.**

**Mr. Biswabrata Basu Mallick, Ld. AGP,
Mr. K.M. Hossain.
...For the State.**

**Mr. M.P. Gupta,
Mr. Abhisekh Shikdar,
Ms. Moumita Dhar.
... For the Respondent
Nos. 3 and 4.**

**Mr. Sayan Chattopadhyay,
Ms. Sneha Nath,
Mr. Ayanava Acharya.
...For the Respondent No.6.**

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner participated in a tender process conducted by the West Bengal Small Industries Development Corporation Limited and was unsuccessful in the bidding process.

3. The petitioner raised certain allegation against the eligible bidder. It appears that the bid was floated in February 2025 and by this time the work order has also been issued.

4. A representation was filed by the petitioner before the Principal Secretary, Department of Micro, Small & Medium Enterprises in May 2025. The said authority is not the Tender Issuing Authority and accordingly, the said authority could not have considered the petitioner's objection.

5. The petitioner submits that representation was also served before the concerned authority in April 2025.

6. On a perusal of the objection alleged to have been submitted before the Director of the West Bengal Small Industries Development Corporation Limited, it appears that there is no grievance of the petitioner against the L1 bidder. The same implies that no objection was ever raised by the petitioner against the L1 bidder.

7. A specific time limit was mentioned in the notice inviting tender within which objection was to be raised. No objection was raised within the said time period.

8. Accordingly, at this distant stage after issuance of the work order, there is hardly any scope to direct the West Bengal Small Industries Development Corporation Limited to consider the objection filed by the petitioner.

9. The writ petition fails and is hereby dismissed.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)