

Dd 23 13.08.2025

MAT/998/2025
UNITED ORDER AND SUPPLY CO-
OPERATIVE SOCIETY LIMITED
VS.
THE STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2025, CAN/2/2025

Mr. Satrajit Sinha Roy, Advocate
... .. For the Appellant

Mr. Saptangsu Basu, Sr. Adv.
Mr. Swarup Paul,
Mr. Surya Maity,
Mr. Sguru Saday Dutta,
Mr. Anish Roy, Advocates
..For the Respondent No. 7

Ms. Susmita Adhikary,
Mr. Subrata Mukherjee, Advocates
... ..For the respondent no. 8

Mr. Vivekananda Bose,
Mr. Kushal Das, Advocates
..For the State

1. Affidavits filed in Court be taken on record.
2. CAN 2 of 2025 is an application by the appellant seeking leave to prefer an appeal against order dated July 1, 2025 passed in WPA 11811 of 2025.
3. Learned advocate appearing for the appellant submits that, the private respondents herein obtained extension of a tender which expired by efflux of time. He submits that, the respondent authorities are not initiating any fresh tender process. Appellant is prejudiced by such activities of the respondent authorities as also of the private respondents.
4. State and the private respondents are represented.

5. Learned advocate appearing for the State on instructions submits that, although, the respondent authorities are ready to initiate a fresh tender process, however, by reason of the order dated December 26, 2022 which is continuing from time to time, the respondent authorities are prevented from undertaking a fresh tender process.
6. Learned senior advocate appearing for the private respondents submits that, tender process cannot be initiated, since, various parameters fixed by the High Court are yet to be decided upon.
7. Be that as it may, since, the appellant seeks to prefer an appeal from an order which it feels aggrieved by and, since it is one of those tenderers who usually participate in a tender process for grant of contracts for supply of dietary items in hospital, we grant leave to the appellant to prefer the appeal.
8. CAN 2 of 2025 is disposed of accordingly.
9. CAN 1 of 2025 and the appeal are taken up for hearing finally. Appeal is directed against an order dated July 1, 2025 by which, learned Single Judge, directed dismissal of the writ petition.
10. Appellant is aggrieved by the decision of the learned Single Judge in not directing a fresh tender.
11. At this stage, we are unable to intervene with regard to a fresh tender, since, there subsists an order of injunction on the respondent authorities passed by the learned Single Judge in a different writ petition being WPA 29144 of 2022.
12. Learned advocate appearing for the appellant submits that his client is taking appropriate steps with regard to WPA 29144 of 2022.
13. In such circumstances, MAT/998/2025 along with the connected application are **disposed of**.

14. All points raised by the parties before us are kept open.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)