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15.07.2025
d.p.

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

W.P.A 15432 of 2025

**Harishchandrapur Thana Fishermen
Cooperative Societies Limited
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Bose,
Ms. Jenifar Alam Megha.
...For the Petitioner.**

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

2. In response to an auction notice floated by the Irrigation and Waterways Directorate on 12th November, 2024, the petitioner participated in the auction process by submitting its bid and claims to be the H1 bidder. The auction was not finalized.

3. By a further notice dated 26th March, 2025, the said authority cancelled the auction. All the participants of the earlier tender were informed and they were requested to collect the demand draft of the earnest money.

4. Fresh notice of tender has been floated by the authority on 23rd June, 2025. The petitioner is aggrieved by the same.

5. It has been submitted that without disclosing any reason, the authority ought not to have cancelled the earlier tender. The petitioner was the H1 bidder and the contract ought to have been executed between the authority and the petitioner.

6. Prayer has been made to cancel the fresh tender notice published by the authority.

7. Upon hearing the submissions made on behalf of the petitioner, it appears that though the earlier tender stood cancelled way back on 26th March, 2025 and the cancellation was duly communicated to the petitioner, but the petitioner did not challenge the cancellation at the proper time. Only after fresh notice of auction has been invited on 23rd June, 2025, the instant writ petition has been filed on 9th July, 2025.

8. The petitioner alleges that no reason has been mentioned for cancellation of the earlier tender process. According to the petitioner, the tender process was cancelled because of extraneous reasons.

9. The aforesaid contention of the petitioner does not appeal to the Court. Only by virtue of participating in the tender process and claiming to be the H1 bidder, does not create any right in favour of the petitioner as contract was not executed. The authority may have thought it fit to cancel the tender process for some reason. None of the parties can be said to be prejudiced by the cancellation. No right accrued in favour of any of the participants.

10. A fresh tender has been floated and time is there till 16th July, 2025 for submission of bids. It will be open for the petitioner to participate in the fresh tender process.

11. The writ petition stands dismissed.

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

(Amrita Sinha, J.)