

19<sup>th</sup> Sept.,2025  
Item no.M/L 1467  
Court No. 14  
Pradip, A.R.(Ct.)

**In the High Court at Calcutta**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Case No. **WPA 19351 of 2024**

*In the matter of :*  
**Barun Banerjee** ..... *Petitioner*  
**VS.**  
**State of West Bengal & Ors.** ..... *Respondents*

*For the Petitioner:*  
**Mr. Bratin Kr. De**  
**Mr. Kaustav Banerjee**  
**Mr. Subhankar Banerjee** ..... *Advocates*

1. The writ petition relates to a tender floated by the Chief Medical Officer of Health, Howrah on 25<sup>th</sup> January, 2024.
2. The petitioner participated in the tender process but his bid stood rejected illegally and arbitrarily at the technical evaluation stage.
3. From the tender document it appears that the bid opening date for technical proposal was 23<sup>rd</sup> February, 2024.
4. It appears that the writ petition has been filed on 30<sup>th</sup> July, 2024, that is, long after the date of opening the technical bid. Had the petitioner been genuinely aggrieved by the rejection of his bid, he ought to have approached the Court immediately after the opening of the technical bid.
5. Learned advocate representing the petitioner asserts that the technical bid was opened on 15<sup>th</sup> July, 2024 and not on the date as mentioned in the Notice Inviting Tender.

6. In the absence of the respondents, it is not possible for the Court to decide the issue. From the documents annexed to the writ petition, it appears that the financial bid was scheduled to be opened on 18<sup>th</sup> July, 2024.
7. Without proper evidence there is hardly any scope to direct the respondent authority to consider the prayer of the petitioner for reconsideration of his technical bid after the financial bid is opened.
8. It is more than a year that the financial bid had been opened and the work order may have been issued in the meantime. It will not be proper to interfere with the tender process after such a long period of time.
9. Accordingly, 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.)**