

*Dd* 9 22.09.2025

**MAT/1289/2025**  
**With**  
**CAN/2/2025**  
**THE STATE OF WEST BENGAL AND ORS**  
**VS**  
**M/S BANGA UNNAYAN PRIVATE**  
**LIMITED AND ANR**

Mr. Biswabrata Basu Mallick, Ld. AGP  
Ms. Parna Roy Choudhury, Advocates  
... .. For the Appellants

Mr. Biswaroop Bhattacharya,  
Mr. Avirup Chatterjee,  
Mr. Rishav Das, Advocates  
.. ....For the Respondents

1. Appeal is directed against an order dated May 7, 2025 passed by in WPA 12626 of 2023.
2. By the impugned order, learned Single Judge set aside the cancellation of the tender process after returning a finding that there was no justification to do so.
3. Appeal is at the behest of the State and its functionaries including the authorities who initiated the tender process.
4. We repeatedly called upon the appellants to produce the file containing the decision to cancel the tender process.
5. Learned advocate appearing for the appellants on instructions submits that, decision to cancel the tender process was taken verbally and there is no noting in any file to such effect.

6. Since, State and its functionaries including the authority which initiated the tender process, decided to cancel the same without, recording any reasons for the same anywhere, we are constrained to agree with the learned Single Judge that, there was no justification for the cancellation of the tender process.
7. In such circumstances, we find no merit in the present appeal.
8. MAT/1289/2025 along with the connected application are **dismissed** without any order as to costs.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**