

03
07.04.2025
Ct. No. 551
RPan/Jayanta

WPA 26401 of 2024

Ziaur Rahaman
vs.
State of West Bengal & Ors.

Mr. Sourat Nandy

....For the Petitioner.

Mr. Washef Ali Mondal

....For the Respondent no 7.

Mr. Syed Nazmul Hossain

....For the Respondent no 10.

Affidavit-of-service filed today be kept on record.

The writ petitioner has approached this Court seeking issuance of a writ of mandamus commanding the respondents to rescind or cancel the selection of the private respondents, being the respondent nos. 8, 9 and 10 as successful bidders in an e-tender process initiated by a notice being e-tender No. 46/JAG/5th. SFC/2024-25, dated June 22, 2024.

It has been brought to the notice of the Court that in the said e-tender process the private respondent no. 10 was selected as the SL-01 bidder. The private respondent no. 8 and 9 were selected as SL-02 and SL-03 bidders respectively. The petitioner's name figures at serial No. 04, i.e., SL-04. The petitioner is aggrieved by the rejection of his bid. Such rejection of the petitioner's bid was communicated to the petitioner on

September 09, 2024 and the instant writ petition has been filed on October 08, 2024.

The learned Advocate appearing for the petitioner submits that prior to the filing of the instant writ petition, he had approached the respondent authorities by way of representations dated September 11, 2024 and September 25, 2024, all of which remain unheeded.

The learned advocate appearing for the respondent no. 7, i.e., Prodhan, Jagtai-II, Gram Panchayat hands up a copy of the work order, being memo No:-J-11/560 dated September 17, 2024 wherefrom it appears that the private respondent no. 10, namely, Sahanawaj Construction had been issued the said work order pursuant to its success in the bid. A copy of a completion certificate dated October 01, 2024 has also been handed up to the Court which demonstrates that the work that had been assigned to the said successful bidder, i.e, the private respondent no. 10 by the said work order dated September 17, 2024 ultimately got completed on September 30, 2024.

It is evident that by the time the writ petitioner approached this Court even the work (for which the e-tender process in question was initiated) also got over/completed.

In such view of the matter, nothing survives to be decided in the present writ petition. It is settled law that futile writs cannot be issued.

The present writ petition is, therefore, disposed of as having becoming infructuous.

The documents handed up to the Court by the learned advocate appearing for the respondent no. 7 are kept on record.

WPA 26401 of 2024, thus, stands disposed of.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible

(Om Narayan Rai ,J.)