

S/L 22
18.12.2025
Court. No. 25
suvayan

WPA 26855 of 2025

Steve Infrastructure Private Limited & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharyya

Mr. S. M. Hassan

Ms. Anupama Yasmin

Ms. Neelanjana Ghorui

Ms. Anusnita Bhattacharyya

...for the petitioners.

Mr. Sk. Md. Galib

Ms. Ashmita Chakraborty

...for the State.

Mr. Sibojyoti Chakraborty

Ms. Riya Ghosh

Miss. Indrani Lahiri

Mr. Arpan Mishra

...for the respondent nos. 3 to 7.

1. The respondents have issued e-auction notice on second call for selection of contractor for dredging/desilting/removal of riverbed materials from within the site location of Chitrasenpur Khal, Someswar Khal and Damodar Char. The petitioners have participated in the said tender and in the technical bid the petitioners were declared as qualified bidder. Subsequently, the petitioners were declared as L1 bidder and the petitioners have quoted an amount of Rs. 13,41,450/-. In spite of the fact that the petitioners have qualified and are L1 bidder but the respondents/authorities have not issued the work order to the petitioners. Accordingly, the petitioners have filed the present writ application.

2. Learned counsel appearing for the respondents/authorities have submitted the report wherein it reveals that the one bidder viz. Ashish Singha who is not qualified in the technical bid has made an email on August 28, 2025 stating that he has been disqualified due to non-submission of RFP document and stated that as per the general condition regarding submission of the bid in RFP Clauses 6.1 and 6.2 there is no mention about the document and further stated that they have immediate all documents as mentioned in the RFP. The respondents/authorities on receipt of the said email sent the same to the Executive Officer, Howrah Zilla Parishad for consideration. The Executive Engineer, Howrah Irrigation Department by its letter dated October 13, 2025 is stated that the bidder did not raise any query during the time window from the approval and date of August 22, 2025 at 17:00 hrs. to start the date August 28, 2025 at 11:00 hrs.
3. It is further stated by the authorities that the RFP clause has been framed by the WBMDTCL. Accordingly, the authorities have referred the matter for clarification to the WBMDTCL but they have not received any clarification from the said authority and as such the work order has not been issued.
4. Heard the learned counsel for the respective parties.
5. There is no denial that the petitioners are the L1. The authorities have not issued the work order only on the ground that one of the unsuccessful bidders has made an objection and made an email for clarification and the

respondents sent the same to WBMDTCL for clarification.

6. This Court failed to appreciate that the tender process is over, both the bids have been opened. It is found that the petitioners are the L1 but under what circumstances the authorities on receipt of the email from the unsuccessful bidder is taking a clarification from the WBMDTCL. This Court finds that the act of the respondents/authorities is totally against the law.
7. The writ petition is disposed of by directing the respondent nos. 3 to 7 to take appropriate decision by January 8, 2026 with regard to the tender submitted by the petitioners wherein the petitioners have been declared as L1.

(Krishna Rao, J.)