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22.12.2025
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A 1541 of 2025

**Parijat Chakraborty
-versus
The State of West Bengal & Ors.**

**Mr. Shbham Gupta,
Mr. Debayan Goswami,
Mr. Reshab Kumar.
...For the Petitioner.**

**Mr. Subir Kumar Saha, Ld. AGP,
Mr. Nabakumar Paul,
Ms. Pratusha Dutta Choudhury.
...For the State.**

**Mr. Bhaskar Roy Mahashaya.
...For the Respondent No.5.**

**Mr. Soumik Dey,
Mr. Saikat Pal.
...For the Respondent No.6.**

1. Report by the Principal, Jalpaiguri Government Medical College and Hospital dated 18th December, 2025 filed in Court today is taken on record. Therein it has been mentioned that the building construction work of Jalpaiguri Medical College is in progress and the same may continue beyond the month of March 2026.

2. The self-help group is still providing food to the students of the medical college and they will continue to provide such service till such time the proper canteen is established and starts operation.

3. The petitioner challenges the action of the hospital in cancelling the tender process.

4. It has been submitted that the authority, after opening the financial bid, could not have cancelled the same citing administrative reasons.

5. The contention of the petitioner cannot be accepted by the Court.

6. The authority has cancelled the tender process due to administrative reason and the reason that has been disclosed before the Court regarding the ongoing construction at the premises and the risk of engaging a regular contractor to provide the canteen services thereat appears to be well founded.

7. By mere opening of the financial bid, no legal right has accrued in favour of the petitioner till date. In the absence of infringement of a legal right, the Court cannot exercise the power of judicial review.

8. The hospital is utilizing the service of self-help group for providing the canteen facility to the students on temporary basis.

9. As and when the construction is complete and the regular canteen is fit for operation, it will be open for the hospital to float fresh tender. All eligible candidates may participate in the tender process.

10. The writ petition stands disposed of.

11. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Amrita Sinha, J.)