

S/L 2
05.02.2026
Court. No. 25
sourav

WPA 102 of 2026

**Ravi Enterprises
Vs.
Union of India & Ors.**

*Mr. Saptarshi Roy
Ms. Gargi Roy*

...for the petitioner.

*Mr. Kumar Jyoti Tewari, Sr. Adv.
Mr. Bipul Kumar Mandal
Ms. Amrita Pandey
Mr. Ghanshyam Pandey*

...for the respondents.

1. The petitioner has filed the present writ application challenging the order dated December 30, 2025 issued by the Senior Divisional Commercial Manager, Eastern Railway, Sealdah wherein the authorities have cancelled/terminated the tender process of PARKING-SDAH-DAKE-MK-65-25-1 at Dakshineswar on the ground that after signing the bid sheet, the authorities have noticed that the contract start date has inadvertently been inputted in the e-auction lot on IREPS portal as 02.11.2026 instead of 02.01.2026.
2. Learned counsel appearing for the petitioner submits that in terms of the e-auction tender notice issued by the respondent authorities, the petitioner has participated in the said tender and after opening of the tender, it was found that the petitioner is the successful highest bidder but subsequently, the authorities have terminated the contract on the ground that in the contract document the commencement of the contract is mentioned as 01.11.2026 instead of 02.01.2026.

3. Learned counsel for the petitioner submits that it is only the typographical mistake with regard to the date of commencement of the contract and the same could have been corrected by the authorities by way of a corrigendum stating that the contract work will be commenced from 02.01.2026 instead of 02.11.2026.
4. This Court has called for the report from the authorities and the authorities have filed the report by way of affidavit. In the report it is categorically stated that upon discovering the error the railway administration promptly explored all avenues for correction and a formal query was raised with the IREPS portal authorities seeking a solution specifically enquiry if the contract start date in the bid sheet could be corrected.
5. The official and conclusive response from the IREPS was received as “CP start date cannot be changed in the bid sheet/contract”.
6. Learned counsel appearing for the authorities submits that IREPS system is fully automated digital portal designed for e-auctions without manual intervention post signing of the bid sheet specifically for core commercial terms like the contract start date. It is further submitted that there exists no functionality within the system to issue a corrigendum or unilaterally amend the signed bid sheet due to which the respondents could not issue a corrigendum to amend the date of the commencement of the contract work from 02.01.2026 instead of 02.11.2026.

7. Learned counsel appearing for the petitioner draws attention of this Court to Clause 3.1 of the tender document and submits that as per the Clause 3.1 of the tender document, the auction catalogue containing all the lots proposed to be auctioned or of a given date and time and the terms and conditions applicable for the auction catalogue shall be published minimum 15 days in advance of the auction start date. Complete details of the lots and assets included in a lot will be included in the auction catalogue. The contractor will be to check the lot, specific financial eligibility of IREPS at seven days before start of the auction.
8. By referring the said clause, learned advocate for the petitioner submits that the respondent authorities have 15 days time in their hand but the respondent authorities failed to correct the same before publication of the said tender and as such, this is only a clerical error which can be corrected and the petitioner is ready and willing to execute the agreement and to start the work as and when the respondent authorities will allow the petitioner to execute the work.
9. Heard the learned counsel for the respective parties.
10. Perused the materials on record.
11. The short question in the present writ application is that whether the commencement of the date which was provided in the original tender document can be changed by the authority after opening of the tender process. In the present case, at the time of the finalization of the bid, authorities have found that the

work is to be commenced from 02.01.2026 for three years but inadvertently, in the tender document commencement of the date of the work has been mentioned as 02.11.2026. From the report submitted by the authorities, this Court finds that when the authorities have discovered the said discrepancy made several attempts for correction of the date by way of corrigendum but it was advised to the respondent authorities that the IREPS system is fully automated digital portal designed for e-auctions without manual intervention post signing of the bid sheet specifically for core commercial terms like the contract start date.

12. It is also informed that the CP start date cannot be changed in the bid sheet of contract.
13. Considering the above, this Court finds that the respondent authorities inadvertently recorded the date of commencement of the work from 02.11.2026 instead of 02.01.2026 and when the respondents have discovered the said discrepancy have made endeavour for correction of the date by way of corrigendum but it was found that it is not possible for the respondents to correct the said date.
14. Accordingly, this Court did not find any *mala fide* and arbitrary action on the part of the respondent authorities.
15. It is found that the petitioner has already deposited EMD and the authorities have cancelled the tender, the authorities are directed to refund the EMD to the

petitioner within a week from date subject of providing all the bank details by the petitioner to the authorities.

16. **WPA 102 of 2026** is dismissed.
17. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)