

24.04.2026
Court No.25
D/L No.18
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 6530 of 2026

**M/s. CEMAC Construction
Versus
The State of West Bengal & Ors.**

Mr. Sauvik Nandy, Sr. Adv.
Mr. Dyutimay Paul

...for the Petitioner

Mr. Avishek Guha
Mr. Subhajit Das

...for the State

Mr. Sambuddha Dutta
Mr. Bikramjit Mandal

...for the KMDA

1. The petitioner has filed the present writ application challenging the communication dated March 10, 2026 wherein it is mentioned that *“the process of debarment and even blacklisting of your client, i.e., the said agency M/s. CEMAC Construction, will be initiated very shortly as a result for attempting to impose this false allegation with a pursuit to malign the prestige and fame of a reputed Govt. Organization like KMDA even himself being a perpetrator of offence. As a result, your client will not able to participate in any forthcoming work undertaken by KMDA.”*
2. This Court by an order dated April 17, 2026 directed the learned counsel for the respondents to take instruction whether in terms of the impugned notice

dated March 10, 2026 any order of debarment or blacklisting of the petitioner's firm is passed or not.

3. Today when the matter is taken up for hearing learned counsel for the respondents submits that the respondents have not taken any decision for debarment or blacklisting of the petitioner. He further submits that Clause 21 provides the violation of the contract and Clause 3 does not provide any penalty of blacklisting or debarment of the petitioner's firm.
4. Considering the submissions made by the learned counsel for the respective parties, this Court finds that the petitioner with the apprehension that the respondents will take steps against the petitioner for blacklisting or debarment for participating in the tender process without issuance of the show cause notice, has filed the present writ application. Now the learned counsel for the respondents made it clear that the respondent authorities neither passed any order of debarment nor blacklisting of the petitioner nor Clause 3 of the tender documents provides any penalty of debarment or blacklisting of the petitioner.
5. In view of the above, there is nothing remains in the present writ application.
6. Accordingly, **WPA 6530 of 2026 is disposed of.**
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

8. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)