

S/L 9
24.03.2026
Court. No. 25
Sourav

WPA 7058 of 2026

**Subhradeep Construction & Anr.
Vs.
The Union of India & Ors.**

*Mr. Chaitali Bhattacharyya
Mr. Swarvanu Saha*

...for the petitioners.

*Mr. Sanjit Kr. Ghosh
Ms. Ranjana Chatterjee*

...for the respondent nos. 1 to 4.

1. The petitioners have filed the present writ application praying for cancellation and setting aside the auction held on March 9, 2026 arising out of tender under parking plot no. Parking-ASN-DGR-TW-125-26-1 by the respondent no. 4.
2. Learned counsel for the petitioners submits that the respondents have initially initiated the e-tender proceeding of Parking-ASN-DGR-TW-125-25-2 on February 20, 2026 and the petitioner has participated in the said tender and had quoted Rs. 12.71 lakhs. Learned counsel for the petitioner submits that as per the document, the minimum bid rate required Rs. 12,73,542/- but in spite of the same, the respondent authorities had cancelled the said tender and started the new e-tender process. Accordingly, the petitioners have also participated in the new tender process but the petitioners were not allowed to put the tender after eight extension, due to which the petitioners could not quote bid amount in the said tender and the respondent authorities are going to issue work order to the respondent no. 5.

3. Learned counsel for the petitioners submits that initially, the minimum bid fixed by the authority was Rs. 12,73,542/- but after cancellation of the said tender, the authorities have reduced the bid price to Rs. 9,60,000/-. Learned counsel for the petitioners submits that only to accommodate the private respondent, the respondent authorities have cancelled the first tender wherein the petitioners were successful bidders and have reduced the reserved price to that of Rs. 9 lakhs and allowed the private respondent to participate in the said tender and awarded the work to the private respondent.
4. Per contra, learned counsel for the respondents has filed the written instruction and submits that the two wheelers parking contract at Durgapur was awarded to the petitioners from October 23, 2022 to October 22, 2025. Before completion of the award the respondent authorities have published the tender and one third party has participated in the said tender and the contract was awarded to him. The said tenderer has left the work in the mid and on 01.02.2026, the work order was cancelled. Accordingly, the respondent authorities have started the tender process on February 20, 2026 wherein the petitioners have participated in the said tender.
5. Learned counsel for the respondents submits that in the tender process of February 20, 2026, the reserved price was fixed Rs. 13 lakhs not Rs. 12,73,542/- but none of the tenderer who had participated in the said tender process has reached upto Rs. 13 lakhs and accordingly, the said tender was cancelled. As none of the tenderers have come

forward for participating in the tender at the reserved price of Rs. 13 lakhs, the authorities have taken a decision to reduce the reserved price to Rs. 13 lakhs to Rs. 9,60,000/- and accordingly, the second tender process was started on March 9, 2026. The petitioners have also participated in the said tender.

6. As per the document, it reveals that the lien balance of the petitioners was Rs. 1,71,000/-, thus the petitioners can quote the bid price of Rs. 17,10,000/- but the petitioners have quoted Rs. 99,28,222/- which is much more than the total lien balance of the petitioners. Thus the system has not allowed the petitioners to further proceed with the tender as the petitioners were not having the sufficient amount in the bank which was connected with the bid process.
7. Heard the learned counsel for the respective parties.
8. This Court finds that the petitioners have participated in the tender process but the petitioners have quoted Rs. 99,28,222/- but the said amount was not in the account of the petitioners and thus, the system has not allowed the petitioners to further proceed with the tender process.
9. Considering the above, this Court does not find any merit in the instant writ application.
10. **WPA 7058 of 2026** is dismissed.
11. Mr. Vijay Singh, the Assistant Commercial Manager, Asansol is present before this Court along with documents to assist this Court with regard to the tender process conducted by the authority. This Court appreciate the assistance of Mr. Vijay Singh in this matter.

12. 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.)