

WPA 12551 of 2025

Swarup Mukherjee
Vs.
The State of W. B. & Ors.

Mr. Subhendu Bandopadhyay
Mr. Arka Mondal
Mr. Saikat Pal ...for the petitioner.

Mr. Amal Kr. Sen
Mr. Ashima Das (Sil) ...for the State.

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
Mr. Rohan Bavishi ...for respondent no.6.

Report submitted by the State is taken on record.

Being the lowest bidder in the tender floated by the Gram Panchayat on 20th February, 2025 for extension of pipeline work for drinking water supply and other allied work, the petitioner was granted letter of acceptance on 13th March, 2025 requesting him to execute a formal contract with the Pradhan, Bantika Boinchi Gram Panchayat within seven days from the date of receipt of letter of acceptance.

Learned counsel for the petitioner submits that the petitioner fell ill and could not comply with the condition within due time. He informed the Pradhan by a letter issued on 23rd April, 2025 that he was physically fit and was interested in resuming the work. Despite such communication, his tender has been cancelled and a fresh

tender issued for the same work. The petitioner is aggrieved by the said decision of the authority.

Learned counsel for the Panchayat produces a letter issued by the petitioner to the Pradhan on 21st March, 2025 wherein he stated that despite being the 1st bidder in the tender in question, he was unable to do the work due to his physical illness.

It appears from the report submitted by the State that after cancellation of the tender issued in favour of the petitioner, a fresh tender was floated for the same work. The lowest bidder was granted tender and the work is executed.

The petitioner informed the authority that he was unable to do the work and prevaricated from his previous stance long thereafter. The tender was cancelled on 26th April, 2025 and a fresh tender issued on 2nd May, 2025.

Since the work has been completed in the meantime, nothing further remains to be decided in the writ petition.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)