

05.05.2026
rc/ct.no.15
Item No.42

WPA No. 21384 of 2024
Maa Sandhya Enterprise & Anr.
Versus
The State of West Bengal & Ors.

Mr. Lakshinath Bhattacharya ..for the petitioners

Mr. Gazi Faruque ...for the respondent no. 7

Affidavit of service filed by the petitioners is taken on record.

None appears for the State and the private respondent.

Learned counsel for the petitioners submits that the petitioners participated in a tender floated by the Pradhan, Kumarpara Gram Panchayat on July 18, 2024 and submitted all the requisite documents and also deposited the earnest money for the same. The tender bid was opened on July 29, 2024 and original documents submitted by all the contractors were verified. However, the private respondents neither appeared before the authority on that date nor submitted their documents for verification. Surprisingly, the petitioners found that the private respondents were awarded the work order without verification of their documents and also, the 9th respondent has submitted fake and manufactured documents for the purpose. The petitioners submitted representations before the concerned authority objecting to the same on August

07, 2024 and August 09, 2024 respectively which are yet to be considered. The petitioners seek consideration of the same.

Learned counsel for the Pradhan submits that the original documents of the private respondents were verified prior to opening of the financial bid. Work order was issued in their favour and the work has been executed. However, upon detection of forged and manufactured documents submitted by the 9th respondent, the payment due to the said respondent has been withheld by the authority.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that though it is a fact that the work order has been executed, since the representations submitted by the petitioners are pending before the authority, the Pradhan, Kumarpara Gram Panchayat, being the 7th respondent is directed to consider and dispose of the same within six weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

The writ petition is disposed of.

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)