

S/L 51
13.01.2026
Court. No. 25
suvayan

WPA 29657 of 2025

Sri Nirupam Chandra Das
Vs.
The State of West Bengal & Ors.

Mr. Animesh Halder
Mr. Sk. Zubir Ahmed
Mr. Rasidul Aslan Molla

...for the petitioner.

Mr. Vimal Kumar Shahi, AGP
Ms. Susmita Chatterjee

...for the State.

1. The report submitted by the learned counsel for the respondents be kept with the record.
2. The respondents/authorities have published the e-tender notice for providing of security services in the office of the Chief Medical Officer of Health, Bishnupur Health District, Bishnupur, Bankura. As per the e-tender notice, the petitioner has participated in the said tender. On opening of the tender, it was found that three bidders have quoted the same rate, accordingly, the respondents/authorities that is the Chief Medical Officer of Health, Bishnupur Health District has awarded the contract to three bidders including the petitioner for providing two security personnel each. After the award of the work dated September 22, 2025, the Chief Medical Officer of Health, Bishnupur Health District had issued a letter dated September 17, 2025 to the petitioner informing the petitioner to deploy the manpower proposed/recommended by the MLA, Bishnupur and the Chairman, Bishnupur Municipality. After the issuance of

the letter by the CMOH dated December 17, 2025 the CMOH had issued the work order to the petitioner on December 18, 2025.

3. Learned counsel for the petitioner submits that there is no condition in the tender document or in the work order that a specific person has to be employed by the petitioner. Learned counsel for the petitioner submits that the petitioner is having his own manpower and he has to deploy two persons as security personnel in the office of the CMOH but the respondents/authorities have pressurizing the petitioner to engage two persons which names have been recommended by the MLA which is not in accordance with the terms and conditions of the tender notice.
4. Learned counsel appearing for the respondents/authorities has submits that an email has been sent to the petitioner by informing that no email be sent to the authorities in the email address i.e. despatchcelcmohbishnupurhd@gmail.com and in the email dated December 17, 2025 it was informed to the petitioner if any correspondence is to be made through in the official letter head in the email address cmoh.bsnpr@gmail.com.
5. Learned counsel for the respondents submits that the other two bidders have already provided the security personnel but till date the petitioner has not provided the security personnel in terms of the work order issued by the authorities.
6. Heard the learned counsel for the respective parties.

7. This Court finds that the work order has been issued to the petitioner on December 18, 2025 directing the petitioner for providing two security personnel in the DRS, Office of the CMOH, Bishnupur Health District, Bishnupur, Bankura but prior to issuance of the work order dated December 18, 2025, the CMOH by a letter dated December 17, 2025 requested the petitioner to deploy the two persons whose names have been recommended by the MLA, Bishnupur and the Chairman, Bishnupur Municipality.
8. This Court has also considered the terms and conditions of the tender document as well as the work order. There is no condition either in the tender document or in the work order that the authority will specify or identify the names of the persons to whom the petitioner as to deploy. But in the present case the, the CMOH requested to deploy two persons whose names have been recommended by the MLA. The request made by the CMOH for deployment of the two persons recommended by the MLA is without any jurisdiction.
9. Accordingly, the letter dated December 17, 2025 is set aside and quashed. The petitioner is directed to immediately execute the work order dated December 18, 2025 by deploying the two security personnel in the office of the DRS, Office of the CMOH, Bishnupur Health District, Bishnupur, Bankura on and from January 15, 2026.
10. WPA 29657 of 2025 is disposed of.

11. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)