

(2021) 06 GAU CK 0091

In the Gauhati High Court

Case No : Writ Petition (Civil) No. 3082 Of 2021

Shekhar Ch. Paul And 2 Ors.

APPELLANT

Vs

State Of Assam And 7 Ors

RESPONDENT

Date of Decision : 18-06-2021

Acts Referred:

Citation : (2021) 06 GAU CK 0091

Hon'ble Judges : Suman Shyam, J

Bench : Single Bench

Advocate : T J Mahanta

Final Decision : Disposed Of

Judgement

Heard Mr. T.J. Mahanta, learned senior counsel assisted by Mr. P.P. Dutta, learned counsel for the writ petitioners. I have also heard Mr. M. Nath,

learned Standing Counsel, Panchayat and Rural Development Department, Assam, appearing for the respondent nos. 1, 2, 3 and 6 and Mr. J.

Handique, learned Government Advocate, Assam, appearing for the respondent no. 4.

The 3 (three) writ petitioners in this case are intending tenderers for getting settlement of various Hats/Ghats/Markets coming under the Moirabari

Anchalik Panchayat in the district of Morigaon. On 12/05/2021, the Anchalik Panchayat had issued a tender notice inviting bids for settlement of

various markets coming under its jurisdiction including those with regard to which, the petitioners are the intending bidders. According to Mr. Mahanta,

although the date shown in the NIT is 12/05/2021, yet in reality, the tender was hanged in the office of the Anchalik Panchayat only on 31/05/2021

giving a very short notice to the bidders. Due to the pandemic situation, his

clients could not obtain the necessary documents from the various Government Departments so as to submit their bids within the last date i.e. 18/06/2021, which is today. Under such circumstances, the learned senior counsel for the petitioners submits that either his clients be permitted ten days further time to submit their bids or in the alternative, the tender process be stayed.

Responding to the above arguments, Mr. Nath submits that the Anchalik Panchayat would not have any objection if the writ petition is disposed of by granting ten days further time to the petitioners to submit their bids in response to the impugned tender notice.

Similar is the stand of Mr. Handique, learned Government Advocate, Assam.

In view of the above and as agreed to by the learned counsel for the parties, this writ petition is hereby disposed of at the stage of motion hearing by

granting 10(ten) days time with effect from today to the three writ petitioners to submit their tenders in response to the NIT dated 12/05/2021. The

respondents shall not open the bids until 28/06/2021, so as to permit the petitioners to submit their bids.

If the petitioners submit their bids on or before 28/06/2021, the same may be accepted and thereafter, the tender be processed in accordance with law.

It is made clear that the present order is passed in the facts and circumstances of this case and shall not create any precedence.

The order of this Court be communicated to the concerned authority by Mr. Nath, learned Standing Counsel, Panchayat and Rural Development

Department, Assam, during the course of the day.

With the above observation, this writ petition stands disposed of.