

GAHC010040092026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1131/2026

MS B. K. ASSOCIATES AND ANR
HAVING ITS REGISTERED OFFICE AT BHAGADUTTAPUR, BELTOLA,
GUWAHATI, DISTRICT - KAMRUP (M), ASSAM - 781028. REPRESENTED BY
ITS PROPRIETOR SRI KISHOR KUMAR BARMAN, AGED ABOUT 39 YEARS.

2: SRI KISHOR KUMAR BARMAN
S/O KARUNA KANTA BARMAN
R/O- PATHSALA
P.O.- PATHSALA
DISTRICT - BAJALI
ASSAM - 781325

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO GOVT. OF
ASSAM, IRRIGATION DEPARTMENT, ASSAM SECRETARIAT, DISPUR,
GUWAHATI - 781006.

2: THE CHIEF ENGINEER
IRRIGATION DEPARTMENT
ASSAM
CHANDMARI
GUWAHATI - 781003.

3: THE EXECUTIVE ENGINEER
IRRIGATION DEPARTMENT
TIHU - BAJALI DIVISION (IRRIGATION)
TIHU
DISTRICT - BAJALI
ASSAM

Advocate for the Petitioner : H CHOUDHURY, MR D KALITA

Advocate for the Respondent : SC, IRRIGATION,

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 25.02.2026

Heard Mr. D. Kalita, learned counsel for the petitioners and Mr. N. Upadhyay, learned Standing Counsel, Irrigation Department for all the respondents.

2. By an Invitation for Bid [IFB] dated 04.02.2026 for seven nos. of Contract-Works under the subject, 'Bank Protection Work of 7 [seven] Nos. Irrigation Schemes [In 7 Packages as Per Package List] under SDMF For the year 2023-24' under Tihu-Bajali Division [Irrigation], Tihu, Assam the respondent no. 2 has invited tenders from approved and eligible contractors for execution of seven nos. of works in Tihu-Bajali Division [Irrigation], Tihu. The estimated costs are mentioned.

3. By Clause 6 of Instruction to Bidders [ITB] contained in Section 1 of the Bidding Documents, a site visit has been prescribed.

4. It is the case of the petitioners that the petitioners intend to submit their bids for all the seven nos. of works mentioned in the IFB. As a site visit has been made a pre-requisite for submission of the bids, the petitioners made request to the respondent no. 3 to facilitate the site visits and to issue Site Visit Certificates. The petitioners have stated that as the respondent no. 3 was not paying any heed to the petitioners' request, the petitioners had to submit individual Representation on 16.02.2026, requesting him to make arrangement of the site visits. The petitioners have alleged that as the respondent no. 3 is not taking any steps to facilitate site visits and the last date of submission of bid, 27.02.2026, is coming near, the petitioners having no other alternative, have to approach this Court by the instant writ petition seeking inter-alia a direction to the respondent authorities either to arrange site visits and to issue a Site Visit Certificates thereafter, before 27.02.2026 or to allow the petitioners to

submit their bids without insisting for such Site Visit Certificates. Mr. Kalita has further submitted that all the seven works are near to each other and within Tihu-Bajali Irrigation Division. Therefore, all the sites can be visited within a day.

5. Mr. Upadhyay, learned Standing Counsel, Irrigation Department has submitted that he would not be able to make submission as regards the reason why the petitioners have made such complaint. Be that as it may, if the petitioners intend to visit the sites on 26.02.2026, then the respondent no. 3 would ensure the necessary site visits and if the site visits are made, then for issuance of Site Visit Certificates.

6. In view of such submission of Mr. Upadhyay, it is observed that the petitioners shall report to the Office of the respondent no. 3 at 10-30 am on 26.02.2026 and submit written application to the respondent no. 3 as regards the sites they intend to visit, and on receipt of such application, the same should be acknowledged by the respondent no. 3. If the petitioners report in the Office of the respondent no. 3 on such dates and submit such an application, the respondent no. 3 shall make arrangement for site visits of the petitioners' desired sites within the Tihu-Bajali Irrigation Division and after completion of the formalities, shall complete the process for issuance of Site Visit Certificates on or before 26.02.2026.

7. List the case on 27.02.2026.

8. A copy of this order is to be supplied to Mr. Upadhyay, as requested, to enable Mr. Upadhyay to take the necessary steps from his end.

JUDGE

Comparing Assistant