

GAHC010090782025



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

**Case No. : WP(C)/2457/2025**

PRNOBESH KR GHOSH  
S/O LT. PANCHANAN GHOSH, R/O GAURIPUR, WARD NO. 3 (OLD), 8 (NEW),  
P.O. AND P.S.- GAURIPUR, DIST- DHUBRI, ASSAM, PIN-783331

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,  
URBAN DEVELOPMENT DEPARTMENT, GUWAHATI-6, ASSAM

2:THE DIRECTOR OF MUNICIPAL ADMINISTRATION  
ASSAM  
DISPUR  
GUWAHATI-6

3:THE DISTRICT COMMISSIONER  
DHUBRI  
DIST- DHUBRI  
ASSAM

4:THE DHUBRI MUNICIPAL BOARD  
DHUBRI  
REPRESENTED BY ITS CHAIRPERSON  
P.O.- DHUBRI  
DIST- DHUBRI  
ASSAM

5:THE TENDER EVALUATION COMMITTEE  
DHUBRI MUNICIPAL BOARD  
DHUBRI  
REPRESENTED BY ITS CHAIRMAN  
P.O.- DHUBRI

DIST- DHUBRI  
ASSAM

6:THE EXECUTIVE OFFICER  
DHUBRI MUNICIPAL BOARD  
DHUBRI  
P.O.- DHUBRI  
DIST- DHUBRI  
ASSAM

7:RAGHU VEER  
S/O VIM MAHATO  
R/O BALUCHAR  
WARD NO. 3  
P.O. AND P.S.- DHUBRI  
DIST- DHUBRI  
ASSAM  
PIN-78330

**Advocate for the Petitioner** : MR A ISLAM, E HUSSAIN

**Advocate for the Respondent** : GA, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**ORDER**

**14.05.2025**

Heard Mr. A. Islam, learned counsel for the petitioner, who submits that the petitioner participated in the NIT dated 25.02.2025, in respect of the contract work "Earthwork in filling at landfill site for MRF, W2C plant & SLF at Daobhangi under Rupsi Dev. Block, Dhubri (Phase-III) under 15<sup>th</sup> FC Tied basic Grant 1<sup>st</sup> Instalment for the 2021-22 during the year 2022-23."

2. The petitioner's counsel submits that all the four bidders had submitted the same bid amount for the contract work. However, the respondent No.6 was allotted the work order without the respondents giving any reasons for the

same. He submits that the bid of the respondent No.6 was in violation of Clause 2.II(f), 2.II(j) and 2.II(k) of the Bid Document and as such, the respondent No.6 could not have been allotted the work order. He also submits that the bids of all the tenderers was in violation of Clause 3(m) of the Bid Document, as all the bidders had submitted bids below 10% of the package value. As such, a fresh NIT should have been issued by the respondents.

3. Issue notice returnable in 4(four) weeks.

4. Mr. S.R. Baruah, learned counsel accepts notice on behalf of the respondent Nos.1, 2 & 3.

5. Petitioner to take steps for service of notice upon the respondent Nos.4-7 by registered post with A/D within 3(three) days.

6. List the matter on **23.06.2025**.

7. The issuance of the work order shall be subject to the outcome of the writ petition.

**JUDGE**

**Comparing Assistant**