

GAHC010105992025



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

Case No. : WP(C)/2779/2025

M/S ASPEE AGRO EQUIPMENT PVT. LTD.
A PRIVATE LIMITED COMPANY INCORPORATED UNDER THE COMPANIES
ACT, 1956 HAVING ITS ADMINISTRATIVE OFFICE AT 4TH FLOOR, ASPEE
HOUSE, ASPEE ENCLAVE, OPP. IOB BANK, MALAD (WEST), MUMBAI-
400064 REPRESENTED BY ITS REGIONAL SALES MANAGER- SRI
INDRANIL SAHA, PRESENTLY STAYING AT A.T. ROAD, P.O. GUWAHATI-
781001, DIST. KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM, AGRICULTURE DEPT.,
DISPUR, GUWAHATI- 781006, ASSAM.

2:THE SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPT.
DISPUR
GUWAHATI
ASSAM.

3:THE DIRECTOR OF AGRICULTURE
ASSAM
KHANAPARA
P.O. GUWAHATI- 781022

ASSAM.

4:THE DEPARTMENTAL BID COMMITTEE
DIRECTORATE OF AGRICULTURE
ASSAM
KHANAPARA
GUWAHATI- 781022

ASSAM

Advocate for the Petitioner : MR J C GAUR, U AGARWAL

Advocate for the Respondent : SC, AGRI. DEPARTMENT, SC, FINANCE

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 06.02.2026

Heard Mr. J.C. Gaur, learned counsel for the petitioner and Mr. B. Choudhury, learned Standing Counsel, Agriculture Department for all the respondents.

2. In deference to the direction to take instructions on 12.12.2025, Mr. Choudhury, learned Standing Counsel, Agriculture Department has placed a copy of a Communication dated 05.02.2026, addressed to him by the Directorate of Agriculture, Assam.

3. In the Communication, it is mentioned that since the bid pertains to empanelment of bidders for procurement of a specific item and the empanelment period is still in currency, there is no bar to empanel the petitioner provided the petitioner is able to open the bid submitted in the e-procurement portal before the Tender Evaluating Authority and subject to fulfillment of all other technical and financial eligibility criteria as per the tender conditions.

4. Mr. Gaur, learned counsel for the petitioner has submitted that the petitioner is ready to appear before the Tender Evaluating Authority to demonstrate that the technical bid is one which can be opened in the e-procurement portal.

5. Mr. Choudhury, learned Standing Counsel, Agriculture Department has agreed to the above proposal made by the learned counsel for the petitioner.

6. In the above view of the matter, the petitioner shall appear before the Tender Evaluating Authority in the office of Director of Agriculture, Assam on 10-30 a.m. on 23.02.2026. If the petitioner is of the view that he needs assistance of a technical expert to assist him in the process of opening the technical bid in the e-procurement portal, the petitioner can take such assistance, which is agreed to by Mr. Choudhury, learned Standing Counsel, Agriculture Department.

7. List the case on 27.02.2026.

8. Mr. Choudhury, learned Standing Counsel, Agriculture Department shall apprise on the next date of listing about the outcome.

JUDGE

Comparing Assistant