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jdt. 06.03.2026
jb.

**WPA 5006 of 2026
(Latika Mandal vs. State of West Bengal & Ors.)**

**Md. Sarwar Jahan
Mr. Sayantan Hazra
Ms. Shalini Sen
Ms. Sahina Pamir
Emrul Kayes**

.... For the Petitioner

**Mr. Amal Kr.Sen
Mr. Lal Mohan Basu**

.... For the State

**Mr. Shamik Chatterjee
Mr. Amit Bikram Mahata
Mr. Aditya Bikram Mahata
Sahil Kabir**

.... For the Respondent no. 8

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel for the petitioner submits that the petitioner is a member of Dharampur Gram Panchayat under Manikchak Panchayat Samiti within the district of Malda. Two e-tenders were floated by the Pradhan of the said Panchayat on 29th May, 2025 and 2nd June, 2025 respectively despite the members of the Upa Samiti expressing their displeasure and dissent to the said schemes. A representation was submitted before the District Magistrate in this regard which was not considered. The petitioner approached this Court in a writ petition being WPA 13570 of 2025. By an order passed on 4th July, 2025 a coordinate Bench of this Court directed the District Magistrate, Malda to cause enquiry and pass a reasoned order with regard to the contention of the petitioner alongwith three other members within a stipulated time frame. In compliance

thereto, the District Magistrate dealt with the issue and by an order passed on 2nd September, 2025, cancelled the e-tenders and directed the Pradhan to initiate process of identifying the new community level schemes that strictly adhere to the prescribed scheme guidelines. Pursuant to the said order, the Pradhan again floated e tender which is similar to the earlier e tender floated on 2nd June, 2025 which was cancelled by the District Magistrate. The petitioner submitted a representation before the District Magistrate ventilating his objection on 24th February, 2026 which is yet to be considered.

Learned counsel for the State submits that the tender has already been opened.

Learned counsel for the Pradhan/8th respondent denies and disputes the allegations made by the petitioner and submits that the entire process has been undergone in accordance with the relevant Panchayat rules.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the representation submitted by the petitioner before the District Magistrate is pending consideration, the District Magistrate, being the 3rd respondent herein, is directed to consider and dispose of the representation within two weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within 7 days thereof.

Pending disposal of the representation, the e-tender dated 19th February, 2026 shall not be proceeded with.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)