

09.06.2026  
Court No.25  
D/L No.8  
S. Gayen

**In the High Court at Calcutta**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

**WPA 12223 of 2026**

***Vindhya Industries Private Limited & Anr.***  
***Versus***  
***Union of India & Ors.***

Mr. Pranit Bag  
Mr. Sourajit Dasgupta  
Mr. Ashis Kr. Mukherjee  
Mr. Saurabh Prasad

...for the Petitioners

1. The petitioners have filed the present writ application challenging the communication dated May 20, 2026 wherein the technical commercial bid of the petitioners was rejected on the ground that the petitioners have not submitted the declaration on Rs. 100/- stamp bond paper.
2. The learned counsel appearing for the petitioners submits that the petitioners have not submitted the declaration on Rs. 100/- stamp bond paper but that is not a mandatory provision. The learned counsel for the petitioners has brought to the notice of this court to Clause 5(3) of the tender documents and submits that the documents uploading is allowed that is optional and as per the general instructions, Clause 1 indicates that the documents uploading is not allowed. By referring the said two provisions, the learned counsel for the petitioners submits that the filing the

declaration on Rs. 100/- stamp bond paper is not mandatory.

3. Learned counsel for the petitioners submits that after receipt of the rejection communication, on May 22, 2026, the petitioner has made a detailed representation with an undertaking that if the respondent authorities are relying upon for filing the declaration on Rs. 100/- stamp paper, the petitioners are ready and willing to file the said declaration in the bond paper of Rs. 100/-. In spite of receipt of the request of the petitioner, the respondents have not considered the request of the petitioner. Thus, the petitioners have filed the present writ application.
4. The petitioners have filed affidavit of service showing that the notice has been served upon the respondents informing that the matter will be moved before the Vacation Bench on June 3, 2026 but none appears on behalf of the respondents on June 3, 2026. The Hon'ble Court has sent the matter to this Court being the Regular Bench. The petitioners have mentioned the matter before this Court on June 8, 2026 and the same was also informed by the petitioners to the respondents by an email but in spite of the said notice, none appears on behalf of the respondent authorities.
5. The learned counsel for the petitioners has handed over the communication made by the respondent authorities dated June 1, 2026 to the petitioners

informing the petitioners that during the evaluation of the technical bid, the financial offer cannot be seen. By referring the said notice, the petitioners submit that till date the authorities have not finalized the tender process. He prays for a direction upon the respondent authorities to accept the declaration submitted by the petitioners or leave may be given to the petitioners to file the declaration on Rs. 100/- stamp bond paper.

6. Considered the submission made by the learned counsel for the petitioners and perused and materials on record.
7. This Court finds that the respondent authorities have only rejected the technical bid of the petitioners on the ground that the petitioners have not submitted the declaration in Rs. 100/- stamp bond paper. Though the petitioners have submitted the declaration in the plain paper declaring the contents as applicable as per the contract.
8. Considering the above, this Court finds that in spite of receipt of the notice none appears on behalf of the respondents. This Court is of the view that one opportunity should be given to the respondent authorities to appear before this Court to inform with regard to the status of the present tender process. The authorities are directed to maintain *status quo* with regard to the said tender process as on date and to file status report before this Court on June 16, 2026.

9. Let the matter appear on June 16, 2026 under the same heading within five matters.
10. The petitioners are directed to communicate the gist of this order to the respondent authorities and the respondent authorities are directed to act on the gist of this order, if any communicated by the petitioners.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

***(Krishna Rao, J.)***