

S/L 7
24.07.2026
Court. No. 25
Sourav

WPA 17426 of 2026

**Tribeni Constructions Limited & Anr.
Vs.
Damodar Valley Corporation & Ors.**

*Mr. Shuvashish Sengupta
Mr. Sourajit Dasgupta
Mr. Yash Vardhan Deora*

...for the petitioners.

*Mr. Sabyasachi Choudhury
Mr. Deepan Sarkar
Mr. Prasun Mukherjee
Mr. Deepak Agarwal*

...for D.V.C.

1. In terms of the order passed by this Court on July 20, 2026, the respondent no. 1 has filed a report by way of an affidavit stating that:

“3. The subject matter of present writ petition relates to a Tender dated 8th July 2026 issued by the respondent No 1 pertaining to Repair and Maintenance work at the existing township including CISF Complex at DVC RTPS. The value of tender being the subject matter of the present writ petition is Rs 14,91,102.79/- as would be evident from the BOQ. Copy of the BOQ in respect of the Tender dated 8th July 2026 is annexed hereto and marked “X1”.

5. The said township including CISF Complex at DVC RTPS being the subject matter of the present writ petition was not a part of the works to be executed by writ petitioner and is also not part of the Balance works for which DVC has floated a Risk and Cost Re-Tender dated 29th June, 2026. The value of the Risk and Cost Re-Tender dated 29th June, 2026 is Rs. 34,56,72,586.67/- as would be evident from the BOQ. Copy of the BOQ of Risk and Cost Re-Tender dated 29th June, 2026 issued by the respondent is annexed hereto and marked “X2”.

2. In the affidavit, it is categorically mentioned by the respondent no. 1 that the work awarded to the petitioners which is the subject matter of the arbitration is not the similar work of the present tender proceeding. The respondent no. 1 has also disclosed the map being X3 at page. 53 of the report wherein the respondent authorities have clarified that the work awarded to the petitioner which is now the subject matter of the arbitration is marked with the 'red ink' and the work of the present tender process is recorded as 'existing colony building' that is totally opposite to the work awarded to the petitioners which is now the subject matter of the arbitration.
3. The respondent no. 1 has also disclosed the Google Map being X4 at page. 54 of the affidavit. In the said Google Map also, they have clarified that the new colony portion, the work was awarded to the petitioner and the old colony portion is the work of the present tender. From the statement made by the respondent no. 1 and the sketch map as well as the Google Map, it is mentioned that the work awarded to the petitioner is totally different from the work of the present tender.
4. Considering the above, this Court finds that the work of the present tender is not affect the work of the petitioner which is the subject matter of the arbitration proceeding. Accordingly, the report be kept with the record and this Court finds that no further order can be passed in the present writ application. The interim order stands vacated. The respondents are free to proceed with the tender process in accordance with law.

5. **WPA 17426 of 2026** is disposed of.
6. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)