

W.P.A. 29144 of 2022

Rupa Enterprises
Vs.
The State of West Bengal & Ors.

Mr. Saptansu Basu
Mr. Swarup Paul
Mr. Surya Maity
...for the petitioner

Mr. Tapan Kr. Mukherjee
Mr. Bipin Ghosh
...for the State

Heard Mr. Saptansu Basu, learned advocate for the petitioner at length and Mr. Tapan Kumar Mukherjee, learned senior advocate for the State.

It is the submission of Mr. Basu that the rates of diet for the indoor patients admitted to the different State hospitals are being revised after every three years pursuant to an order passed by this Court in WP No. 11766 (W) of 2009 (Bablu Mitra Vs. State of West Bengal).

Mr. Basu submits that following the said order, the rates were revised in the year 2011 by the “Broad-Based Committee”. The said rates were revised again in the year 2014 and 2017.

Mr. Basu submits for the year 2022-2025, the relevant tender has been published following the rates prescribed by the Committee in the year 2017. Mr. Basu further submits the omission on the part of the State to

revise the said rates for the year 2022-2025 has rendered the tender notice invalid since keeping in mind the price hike, the tender should have been floated only after revision of the rates by the Committee.

Mr. Tapan Kr. Mukherjee, learned senior advocate appearing for the State frankly submits that he needs time to take instructions in this matter since the writ petition has been served upon him only an hour ago.

List this matter before the regular Bench under the heading “Listed Motion” when Mr. Mukherjee will respond to the grievance of the petitioner.

The petitioner will be at liberty to participate in the tender process without prejudice to the rights and contentions. In view of the nature of grievance of the petitioner as noted above, the authorities will not finalise the bid for a period of 2 (two) weeks from date.

(Kausik Chanda, J.)