

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/317/2026

M/s Andavan Arul Alliance Private Limited

Vs.

The Andaman and Nicobar Administration and others

Mr. K. Vijay KumarN. ... for the petitioner

Mr. Rakesh Kumar ... for the respondents

July 27, 2026
[SR]
Item No.14

1. The subject matter of challenge in the instant writ petition is a tender process initiated by Notice Inviting Tender dated 01.12.2025.

2. The tender was for “Chartering vessel of 50 passenger capacity for operations in Inland Waters of Nancowry Harbour for a period of five years”.

3. The principal ground of challenge before this Court to the tender process is that since after the date for last submission of tender, some tenderers were permitted to submit documents by the employer who issued letter seeking clarifications from them. It is argued, in particular, that the experience certificate of some tenderers was taken on record by the respondents including EMD, beyond the period of time stipulated in the last date of tender.

4. It is now will settled, *inter alia*, that in the decision of the Supreme Court in the case of ***Raunaq International Ltd. vs. I.V.R. Construction Ltd. reported at (1999) 1 SCC 492*** and ***Tata Cellular vs. Union of India reported at (1994) 6 SCC***

651, the tender issuing authority must be allowed to “play in the joints” in any tender process.

5. Interference in tender process by the Courts has also been discouraged since it affects public facilities and amenities.

6. Having regard to the above, this Court also notes that in the technical bid, clarifications are sought as a matter of practice from intending tenderers.

7. Financial bids are permitted to be reviewed upon after clarifications are given in respect of technical part, by the intending tenderer.

8. In that view of the matter, this Court does not find any serious infirmity in the tender process undertaken by the respondents. It is submitted by the parties that the tender has since been awarded to three persons.

9. Having regard to the discussion made hereinabove, this Court is not inclined to entertain the writ petition.

10. WPA/317/2026 stands disposed of without any order as to costs.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)