GAHC010228692026

2026:GAU-AS:15748

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5731/2026

MD SEHNOWAZ AMIN
SON OF LATE IMDAD ALI, RESIDENT OF VILLAGE CHAMATA, P.O. PASCHIM CHAMATA, DISTRICT NALBARI, ASSAM 781306.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SPECIAL SECRETARY TO THE GOVERNMENT OF ASSAM, PUBLIC WORKS (ROADS) DEPARTMENT, DISPUR, GUWAHATI 06.

2:THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT (ROADS)
CHANDMARI
GUWAHATI
ASSAM 781003

3:THE EXECUTIVE ENGINEER
PWRD
NALBARI DISTRICT TERRITORIAL ROAD DIVISION
NALBARI
ASSAM 78133

For the Petitioner(s) : Mr. S. Hoque, Advocate

For the Respondent(s) : Mr. P. Nayak, Addl. AG, Assam

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 15.10.2026

Heard Mr. S. Hoque, the learned counsel appearing on behalf of the Petitioner and Mr. P. Nayak, the learned Additional Advocate General, Assam who is also the Standing counsel of the PWD appearing on behalf of all the Respondents.

2. The Petitioner herein has approached this Court seeking a direction upon the Respondent Authorities to open the technical bid in respect of Package No. Nalbari_PDNA_2025-26_80 in accordance with the Assam Public Procurement Act, 2017, the Assam Public Procurement Rules, 2020, and the bid documents, and to evaluate the same and communicate the outcome.

3. It is seen from the materials on record that a Notice Inviting Tender was issued on 28.01.2026, whereby in connection with 21 types of works, bids were invited from eligible bidders. The Petitioner thereupon submitted the bid.

4. The grievance of the petitioner herein is that the technical bid which was scheduled to be opened in respect of the Package at Serial No.8, have not been opened and as such has approached this Court by filing the present writ petition.

5. This Court finds it very pertinent to observe that mere

participation pursuant to a Notice Inviting Tender does not, per se, confer a right upon a bidder to seek a direction upon the Respondent Authorities to open the technical bid. As there is no right, there is also no corresponding duty for this Court to issue a writ in the nature of mandamus.

6. Under such circumstances, this Court does not find the present case to be a fit case for issuance of notice and accordingly, the writ petition stands dismissed.

JUDGE

Comparing Assistant