

Court No. 24

09.03.2021

(Item No. 1)

(AB)

W.P.A 1012 of 2021

Ali Enterprise

vs

The Bhatpara Municipality & Ors.

Mr. Kalol Basu

Mr. Iqbal Hussain

..... for the petitioner

Mr. Jishnu Chowdhury

Mr. Robiul Islam

..... for the State

Affidavit of service filed in Court today is taken on record. None appears on behalf of the Bhatpara Municipality despite service.

The grievance of the petitioner is that outstanding dues have not been cleared in respect of the work performed by the petitioner in terms of the work orders issued in its favour.

The petitioner made representation before the Executive Officer of the Bhatpara Municipality by a letter dated 20th November, 2019. The same has not been considered by the respondent authority till date. It appears that reminders were also given, but none of them has been answered by the respondents.

As the Municipality is unrepresented in Court today, no conclusive decision can be taken in this regard.

The instant writ petition is accordingly disposed of by directing the respondent No. 4, being the Executive Officer of the Bhatpara Municipality to take steps for consideration of the representation of

the petitioner dated 20th November, 2019 in accordance with the relevant rules/regulations/guidelines/circulars at the earliest, but positively within a period of five months from the date of communication of a copy of this order.

The said respondent shall afford an opportunity of hearing to the petitioner prior to taking a decision in this matter and the petitioner shall be entitled to rely upon all the documents in support of its prayer for releasing the bills. The Municipality shall also take into consideration the certificates which were issued in favour of the petitioner by the Chairman of the Bhatpara Municipality annexed at pages 27-31 of the writ petition.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The petitioner shall forward a copy of the writ petition along with all annexures to the aforesaid respondent at the time of communicating the order of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)