

01.07.2021
(S/L-08)
Ct.-24
(S.K. & S.M)

(Via Video Conference)

W.P.A. 2510 of 2021

R. K. Developers Contractors & Engineers
-Vs-
Howrah Municipal Corporation & Ors.

Mr. Saptangsu Basu, Sr. Adv.,
Ms. Mrinalini Majumder
..... For the Petitioner.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka
... For the Howrah Municipal Corporation.

Affidavit of service filed in Court is taken on
record.

The petitioner is a contractor. According to
the petitioner the Company performed certain
works in terms of the Work Order issued by the
Howrah Municipal Corporation.

The petitioner complains that the payment
in respect of the works done by the petitioner has
not been cleared by the Howrah Municipal
Corporation.

The petitioner has annexed documents to
show that the bills of the work performed by the
petitioner were submitted before the Howrah
Municipal Corporation for clearance.

The petitioner applied under the Right to
Information Act to enquire whether the bills
submitted by the Company were approved or not.

There is however no reply to the application filed by the petitioner under the Right to Information Act.

The learned advocate representing the Howrah Municipal Corporation submits that the amount claimed by the petitioner is a huge one and the same is required to be enquired and verified by the Howrah Municipal Corporation.

In view of the submissions made hereinabove, the instant writ petition is disposed of by granting liberty to the petitioner to file a fresh representation annexing all necessary documents and bills in support of its claim for payment. In the event such representation is made, the same shall be considered by the Controller of Finance, Howrah Municipal Corporation, the respondent no. 5 herein, strictly in accordance with law, after giving an opportunity of hearing to the petitioner within a period of twelve weeks from the date of communication of a copy of this order.

In the event, the Howrah Municipal Corporation is of the opinion that there is any amount due and payable the same shall be cleared at the earliest.

If there is any dispute with regard to any of the bills raised by the petitioner, the same shall be intimated to the petitioner immediately.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the above respondent at the time of scrutinization of the bills of the petitioner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)