

Court No. 19

23.03.2023

(AD 23)

(S. Banerjee)

CPAN 286 of 2022

in

WPA 4877 of 2021

BSP Enterprise & Ors.

Vs.

Sri Debasish Ghosh

Ms. Sanghamitra Nandy

... for the applicants

Mr. Sudipto Panda

Ms. Munmun Tewary

... for the State

Mr. Sirsanya Bandyopadhyay

Mr. Tirthankar Dey

Mr. Arka Kumar Nag

... for the alleged contemnor

The erstwhile Commissioner, Bidhannagar Municipal Corporation was of the opinion that the petitioners had completed the allotted works, however, the money was not paid. The present Commissioner, who is the alleged contemnor no. 2, also does not deny such decision of his predecessor in office. The contempt application has been filed on the allegation that the order of this court for release of payment had been violated.

Mr. Bandyopadhyay, learned advocate appearing on behalf of the alleged contemnor No.2 submits that a request had been sent to the Department of Urban Development and Municipal Affairs, Government of

West Bengal for release of funds, but no allotment has yet been made by the government.

Since none appears for the State, Mr. Panda is requested to appear upon taking proper instructions.

Mr. Panda, prays for an extension of time to come back with necessary instruction as to whether the State government would disburse further sum to the Corporation for payment of the aforesaid bills.

Mr. Bandyopadhyay submits that once the stand of the government becomes clear, further steps will be taken by the alleged contemnor no. 2 with regard to payment of the admissible amount to the petitioners.

Under such circumstances, the court expects and hopes that the authority shall ensure that the payments are made to the contractors who had completed the work under proper work-orders issued by the Corporation.

Let this matter appear on 27th April, 2023 and it is expected that the entire issue shall be resolved with the intervention of the executive heads of the Corporation and the Government of West Bengal.

The issue of contempt will be decided on the next date.

(Shampa Sarkar, J.)