

23.03.2021
p.b.
Sl. No.132

W.P.A. 4879 of 2021

Alok Kumar Roy
Vs.
The State of West Bengal & Ors.

Mr. Ashit Kumar Chakraborty,
Mr. Sunanda Mohan Ghosh.
.....for the petitioner.
Ms. Sima Adhikari,
Ms. Kakali Naskar.
.....for the State.

Affidavit of service filed in Court today be kept with
the record.

None appears on behalf of the private respondents
and the gram panchayat despite service.

The grievance of the petitioner is that the Uttar
Dinajpur Zilla Parishad is not releasing the balance funds
for the work that they performed in terms of the work
orders, which was issued in his favour for the preparation
of the Detailed Project Reports for proposed bridges.

It appears that the total bill raised by the petitioner
amounted to Rs.1,35,86,277/- out of which a sum of
Rs.40,00,000/- has been released in favour of the
petitioner. A balance payment of Rs.95,86,277/- is due
and pending. The petitioner prayed for releasing the
balance amount, along with interest, by filing
representations one after the other.

The grievance of the petitioner is that neither payment has been released in his favour nor the representations filed by the petitioner have been answered by the respondents till date.

None appears on behalf of the Uttar Dinajpur Zilla Parishad despite service.

As it appears that representation made by the petitioner and his learned advocate is pending consideration at the end of the respondent authority, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent No. 5, being the Additional District Magistrate (ZP) and Additional Executive Officer of the Uttar Dinajpur Zilla Parishad to take a decision with regard to the prayer of the petitioner for releasing the balance funds in respect of the work performed by them in terms of the work order issued in his favour, strictly in accordance with the relevant rules/guidelines/circulars at the earliest, but positively within a period of four months from the date of communication of a copy of this order. The said respondents shall grant an opportunity of hearing to the petitioner or his authorized representative prior taking a decision in the matter.

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 aforesaid respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representations dated 05.08.2019 and 16.12.2020 along with supporting documents in support of his claim, to the aforesaid respondent at the time of communicating the order of the 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.)