

WPA 7616 of 2019
Nasiba Begum Sekh & Ors.
-vs-
State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Diptendu Mondal For the Petitioner

Mr. Amitava Chaudhuri,
Mr. N.Roy ... for the Nadia Zilla Parishad

The writ petitioners pray for a direction upon the Kaliaganj Panchayat Samity for payment of the outstanding bills for construction of sanitary latrines. According to the petitioner the claim which is due and payable amounts to Rs. 37,50,000/- only.

The learned advocate representing the respondent nos. 4 and 5 submits, upon instruction, that the claim of the petitioner amounting to Rs. 37,50,000/- only is fake and not genuine. However, instruction has been given that the bills amounting to Rs. 12,50,000/- only is lying pending and the same can be released if the petitioner issues a written deposition that they have no pending bills other than the aforesaid amount of Rs. 12,50,000/- only. It has further been submitted that apart from the bills of Rs. 12,50,000/- only, no further bills are available with the establishment.

It appears from the submission of the aforesaid respondents that the bills amounting to Rs. 12,50,000/-

only are lying pending at their end. Accordingly, the respondents are directed to take steps in respect of bills that are available and lying pending at their end, at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

The balance amount of claim of the petitioner has been disputed by the respondents. The writ Court is not the appropriate forum to pass an order in respect of bills which have been disputed by the respondents. It will be open for the writ petitioners to approach the appropriate forum, in accordance with law, for disbursal of their balance claim.

The writ petition is disposed of.

The instruction given by the Nadia Zilla Parishad, Krishnagar, Nadia to the learned advocate is retained with the records.

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

(Amrita Sinha, J.)