

S/L 11
28.09.2021
Court. No. 19
GB

WPA 7833 of 2019

Samaresh Sarkar
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Soumava Mukherjee.

...for the Petitioner.

*Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay.*

...for the State.

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

None appears on behalf of the Panchayat authorities.

The Block Development Officer, Ranaghat II Block has instructed Mr. Deb Roy, learned advocate appearing on behalf of the State respondents that the payment of the petitioner could not be released in view of the fact that the respondent nos. 2 & 4 have not released the amount required for such payment.

It does not appear from the records that the contention of the petitioner of having executed some works on behalf of the gram panchayat has ever been disputed.

The Block Development Officer, Ranaghat-II Development Block has specifically instructed Mr. Deb Roy that as and when the payments are released by the said respondents No.2 and 3, the Pradhan of the Duttapulia gram Panchayat shall ensure payment to the petitioner upon

scrutinizing the bills. The admissible amount shall be released.

Under such circumstances, this court does not think it necessary to keep the writ petition pending. The respondent nos. 2 & 4, namely, the Commissioner to the Government of West Bengal, Panchayat & Rural Development Department and Special Secretary to the Government of West Bengal, Panchayat & Rural Development Department are directed to release the funds to the Duttapulia Gram Panchayat upon intimation to the Block Development Officer, Ranaghat-II Development Block. Upon receipt of such fund, at least the amount payable to the petitioner shall be released by the Panchayat authorities. The admissible dues to the petitioner will be disbursed in accordance with law.

As despite service, none appears on behalf of the Panchayat authorities, the Block Development Officer, Ranaghat-II Development Block is directed to ensure compliance of this order.

All formalities as may be necessary shall be completed by the petitioner as per direction of the Block Development Officer, Ranaghat-II Development Block or the Panchayat authorities.

As it is a matter of record that the Panchayat authorities had not paid to the petitioner due to some problem in the accounting system, this payment shall be made even if the accounting system has not been regularized,

Mr. Deb Roy, however, submits on instructions that the accounting system is in order at the moment.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

As no affidavit in opposition has been called for, the allegations contained in the writ petition are deemed to have been denied by the respondents.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)