

06.12.2021
Court No. 19
Item no.24
CP

WPA 13608 of 2021

Mahabir Chandra Mondal & ors.
Vs.
The State of West Bengal & ors.

Mr. Mukteswar Maity
Ms. M. Sarkar

.....for the petitioners.

Mr. Jaharlal De
Mr. Shamim ul Bari

...for the State respondents.

The petitioners have alleged that the Block Development Officer, Kaliachalk - II has not disposed of the representation of the petitioners dated February 4, 2020 with regard to the unpaid bills against work done for construction of IHHL. Reliance has been placed on a completion certificate granted by the Block Development Officer indicating that the works assigned to the petitioners have been completed and a completion certificate has also been given.

Mr. De, learned advocate for the State respondents, submits that the records do not reveal that the petitioners have not been paid their entire dues. He further submits that some bills have been annexed to the writ petition, but the authenticity of

the same and the eligibility of the petitioners for recovery of the total amount of Rs.5,10,000/- which are allegedly outstanding, have not been either verified or authenticated by the authorities upon comparing the same with the original documents.

Having considered the rival contentions of the parties, this court is of the opinion that the Block Development Officer, Kaliachalk - II, must dispose of the representation of the petitioners dated February 4, 2020, being Annexure – P/11 of the writ petitioner at page 65, in accordance with law upon hearing the petitioners as also the representatives of the Uttar Panchanandapur-II Gram Panchayat.

This court has not decided the merits of the issues involved. The concerned Block Development Officer shall proceed independently on the basis of the records. Upon hearing the parties a reasoned order shall be passed and communicated to all.

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

All points with regard to the bills submitted by the petitioners and those which have allegedly remained unpaid, will be decided on the basis of the records and submissions of the parties.

The writ petition is, thus, disposed of. There shall be no order as to costs. This court has not decided on the merits of the claim of the petitioner.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)