

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2721 of 2021

Arvind Ghosh And Sons, Mana Raipur, Through Proprietor Ranjeet Ghosh, S/o Nirmel Indu Ghosh, Aged About 44 Years, R/o Mana Camp, Near SBI Bank, Anand Nagar, Raipur, District - Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary / Commissioner Tribal Welfare Development Department Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh)
2. Collector, Raipur District - Raipur (Chhattisgarh)

---- Respondent

For petitioner - Shri T.K. Jha, Advocate.
For Respondent/State – Shri Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

07/07/2021

Heard.

1. Learned counsel for the petitioner would submit that the petitioner had carried out certain job according to the tender granted to him in the year 2017 and amount of Rs.23,97,000/- was due after completion of work, out of it Rs.15 lakhs were paid,, however the rest of the amount of Rs.8,97,000/- still remains to be paid. It is contended on behalf of the petitioner that the department of the State admitted the fact that amount of Rs.8,97,000/- which is outstanding is required to be paid but several correspondence are being made and the petitioner is required to run from pillar to post, eventually the amount is not paid. He refers to Annexure P-5 letter dated 24/06/2020 and would submit that the State be directed to release the amount of Rs.8,97,000/- forthwith.
2. Learned State counsel would submit that they will look into the matter and the amount which is due it would be considered as per letter dated 24/06/2020 Annexure P-5.

3. Perusal of the Annexure P-5 the last letter dated 24/06/2020 would show that in 2017 a contract was given to the petitioner for construction of certain structure in Rajya Utsav and Rs.23,97,000/- was the contract amount out of it in the year 2017-2018 Rs.15 lakhs have been paid and the allocation was made it was paid to the petitioner whereas Rs.8,97,000/- is still required to be paid for as no sanction is being given. Considering the letter dated 24/06/2020 Annexure P-5 it shows that it is an admitted amount of Rs.8,97,000/- to be paid to the petitioner, there is no dispute about it. The payment is not being made for the reason that the fund is not allocated.

4. Under the circumstances, the respondent/State is directed to take cognizance of the letter dated 24/06/2020 Annexure P-5 which is inter se communication of the department of which a copy was forwarded to the petitioner and release the amount of Rs.8,97,000/- in favour of the petitioner within a period of 45 days from the date of receipt of copy of this order.

5. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE