

S/L 89
21.09.2022
Court. No. 19
GB

W.P.A. 2298 of 2022

M/s. Ranjan Ghosh
Represented by its proprietor Ranjan Ghosh
VS
The State of West Bengal & Ors.

Ms. Mousumi Bhowal

...for the Petitioner.

*Mr. Jahar Dutta,
Mr. Bipin Ghosh.*

...for the State.

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

The petitioner was a successful tenderer. A boundary wall was constructed in terms of the work order. However, the completion of the work was belated. As the work could not be completed within the financial year 2018-19, the amount of Rs.18,86,000/-, which was allotted for the said work, was reverted. Such refund/reversion was in compliance of the norms of the Finance Department Budget Branch, Government of West Bengal, as the funds were not utilized within the financial year.

After the petitioner completed the work belatedly, the petitioner prayed for payment. The District Panchayats and Rural Development Officer, Nadia wrote to the Joint Secretary, Panchayats and Rural Development Department, Government of West Bengal on February 9, 2021 for re-allotment of the said amount, so that the petitioner could be paid. It has been specifically stated that the work has been completed subsequently.

Under such circumstances, without going into the allegations of the petitioner, the writ petition is disposed of with a direction upon the Joint Secretary, Government of West Bengal, Panchayats and Rural Development Department to take steps in accordance with law and also take a decision on the basis of the request made by the District Panchayats and Rural Development Officer, Nadia dated February 9, 2021.

If it is found on enquiry, that the petitioner had completed the work and would be entitled to payment, then necessary steps shall be taken in accordance with law. If it is found that the petitioner was not entitled to any payment, in that event, necessary orders shall be passed with reasons.

The authority shall take a decision within a period of six weeks from date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)