

29.04.2022
Court No.13
Item No.38
AP

**WPA 8730 of 2019
With
CAN 2 of 2021**

**Bhabani Enterprise and Anr.
Vs.
State of West Bengal and Ors.**

Mr. Rabindra Narayan Dutta
Mr. Hare Krishna Haldar
Mr. Koushik Bhattacharyya

... For the Petitioners.

Mr. Susovan Sengupta
Mr. Subir Paul

... For the State.

In Re.: CAN 2 of 2021

CAN 2 of 2021 has been filed seeking recall of this Court's order dated 26th February 2021.

Sufficient grounds have been indicated explaining the absence of the petitioners on the said date.

Hence, the order dated 26th February 2021, is recalled and WPA 8730 of 2019 is restored to its original file and number.

In view of the above, CAN 2 of 2021 is allowed.

In Re.: WPA 8730 of 2019

Counsel for the petitioners submits that he has received a communication from the respondents stating that in view of the pendency of the current writ petition the request of the petitioners under Section 6 of the RTI Act of 2005 dated 20th September 2021 cannot be considered.

It is also submitted that the petitioners have been paid in part for the work of construction of a new treasury building at Hooghly, by the respondents, together with extra works. There is still a sum of money due from the respondents.

In view of the above, the writ petition is disposed of, directing the respondents to consider a request of the petitioner. Such request should be made in the form of a formal comprehensive representation within ten days from date.

Upon receipt of such representation, the respondents shall dispose of the same strictly in accordance with law, and after verifying the records within a period of two months thereafter, mandatory and positively.

It is made absolutely clear that this Court has not in any way entered into the rival claims and contentions of the parties. The respondents shall be entitled to take any independent decision in accordance with law and as they may be advised.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)