

24.11.2022
sayandeep
Sl. No. 23
Ct. No. 05

WPA 10732 of 2022

Krishi Pragati & Anr.
-Versus-
The State of West Bengal & Ors.

Mr. B.N. Ray
Ms. Shetparna Ray

.....for the petitioners

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee

.....for the State

The petitioners claim a subsidy amount of Rs. 10,50,000/- from the State Government pursuant to seven tractors bought by the petitioners for distribution to seven farmers under a Scheme of the Department of Horticulture, Government of West Bengal.

On the last occasion when the matter was taken up, learned counsel appearing for the State had sought time for instructions.

It appears from the documents that the claim of the petitioners with regard to the seven tractors is undisputed. The documents of procurement/supply of 2014 are on record. The petitioner made a representation to the Deputy Director, Department of Horticulture on 29th October, 2018, i.e., after four years requesting for the amount to be paid to the petitioners. The petitioners have already paid Rs. 10,50,000/- which is to be reimbursed by the State. An internal document of the Directorate of Horticulture,

Murshidabad dated 10th January, 2019 mentions the names of the petitioner in the list of beneficiaries for which financial assistance has been sought by the Department. There is no rebuttal to the claim of the petitioners even after the petitioners wrote to the Additional Chief Secretary on 17th March, 2021 and to the Food Processing Horticulture Minister on 1st July, 2021.

In view of the above facts, WPA 10732 of 2022 is disposed of with a direction on the respondent No. 3 being the Director of Horticulture, to dispose of the representation made by the petitioner on 29th October, 2018 and all subsequent letters given by the petitioners until 1st July, 2021 within two weeks from date. The petitioners shall be heard and a reasoned order shall be passed thereon within three weeks from date and a copy of the same made available to the petitioners.

It is made clear that the concerned authority shall disburse the admissible amount to the petitioners within a period of two weeks from the date on which such reasoned order is passed. Since the petitioners were to be paid the amount in 2014 and eight years have passed since then, the final amount which is to be paid shall carry interest of 8% per annum from the dates on which the deliveries should have been made till the date of payment to the petitioners.

The writ petition is disposed of accordingly.

(Moushumi Bhattacharya, J.)