

28. 15.09.2022
BD Ct.15

W.P.A. 10014 of 2009

Nirman Enterprise
-vs-
Arambag Municipality & Ors.

Mr. Goutam Banerjee
... for the petitioner.

Matter relates to non-payment of final amount as well as security deposit after completing work by the petitioner pursuant to Tender No. ARM/IDSMT/14 of 1989-90 and Work Order no. ARM/IDSMT/58(1989-90) dated 28th March, 1990.

The grievance of the petitioner is in spite of completing the work pursuant to the aforesaid work order part payment has been made in two installments by the concerned respondent authorities. However final payment has not been made and the security deposit has not been returned to the petitioner.

Affidavit of service filed by the petitioner pursuant to the previous order dated 6th January, 2022 is taken on record.

In spite of service no one is representing the respondents today.

In view of the grievance as ventilated on behalf of the petitioner this Court grants leave to the petitioner to make a composite representation to the concerned respondent authorities claiming release of final amount as well as return of security

deposit. If such representation is made by the petitioner within four weeks from date the same shall be considered by the concerned respondent authority within twelve weeks thereafter and shall pass a reasoned order on the aforesaid claim of the petitioner. The decision to be taken by the concerned respondent authority shall be communicated to the petitioner within two weeks thereafter.

With the aforesaid direction the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)