

04.01.2022
Court No. 19
Item no.13
CP

WPA 16342 of 2021

Bikash Chandra Mahato
Vs.
The State of West Bengal & anr.

Mr. Satya Ranjan Kundu
.....for the petitioner.

Mr. Srijan Nayak
Mrs. R. Maitra

....for the State respondents.

The petitioner is a successful tenderer. The tender notice was floated by the Executive Officer, Kashipur Panchayat Samiti for construction of Check Dam at Bhatin under Agardih Chitra gram panchayat within Kashipur Panchayat Samiti, District Purulia. The said tender was floated under NIT No. WBPUR/EO/KASHIPUR/NIT(e)-09/2018-2019, Sl. No. 02 dated February 21, 2019. The petitioner had quoted the minimum price and was the L-1 bidder. The petitioner was issued the work order on February 21, 2019. The petitioner claims to have completed the work. It is alleged that payment has not yet been received by the petitioner. It is further alleged that several representations have been made by the petitioner to the Executive Officer, Kashipur Panchayat Samiti but the authority has not taken any steps to liquidate the legitimate dues of the petitioner. Records also reveal that a completion

certificate dated July 7, 2020, had been issued in favour of the petitioner after the completion of the work.

The writ petition is disposed of with a direction upon the Executive Officer, Kashipur Panchayat Samiti to dispose of the representations of the petitioner dated June 23, 2021 and August 9, 2021 in accordance with law.

While disposing of the said representations, the petitioner shall be given a hearing and shall be allowed to produce the documents in support of his contentions. Thereafter, a reasoned order shall be passed and communicated to the petitioner.

If the authorities are of the opinion that the payment cannot be made or that only partial payment can be made, the reasons for the same shall be intimated to the petitioner in the order itself.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

This court has not gone into the merits of the claims and counter-claims of the parties. The entire issue shall be decided by the concerned authority independently and on the basis of the records.

The writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)