

MAT 1073 of 2017
with
CAN 1 of 2017 (Old No. CAN 7133 of 2017)

**(Joyanto's IT-PRO India Private Limited
Vs. The State of West Bengal & Ors.)**

Mr. Arka Maiti

.... For the appellant

Re: CAN 1 of 2017 (Old No. CAN 7133 of 2017)

As we have invited Mr. Maiti, learned advocate appearing for the appellant to advance his arguments on merits of the appeal, we condone the delay in preferring the appeal and allow the application for condonation of delay. The said application, being CAN 1 of 2017 (Old No. CAN 7133 of 2017) is, accordingly, disposed of.

Re : MAT 1073 of 2017

Heard Mr. Maiti and considered the materials on record.

It appears that the appellant/writ petitioner entered into a contract with the State of West Bengal and that by a memo dated 21st March, 2017 issued by the Officer-in-Charge, Election Section, Purulia, it was admitted that an amount of Rs.5,07,167/- is admissible for payment. In the said memo it was further observed that the said amount would be drawn up from three separate allotments. The learned single Judge, accordingly, permitted the writ petitioner to act in terms of the said

memo and observed that the acceptance of payments of the admitted amount would not preclude the writ petitioner from recovery of any balance claim through appropriate proceedings, in accordance with law. Answering our query, Mr. Maiti informs us that the said payment had already been received by the writ petitioner subsequent to disposal of the writ application.

The order impugned, in our opinion, does not suffer from any infirmity warranting interference of this Court in the present appeal.

Accordingly, the present appeal being MAT 1073 of 2017 is dismissed.

There shall, however, be no order as to costs.

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

(Raja Basu Chowdhury, J.) (Tapabrata Chakraborty, J.)