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13.12.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 16764 of 2022

**Tushar Kanti Karmakar & Anr.
-versus
The State of West Bengal & Ors.**

**Ms. Sanghamitra Nandy.
...For the Petitioners.**

**Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag,
Mr. Tirthankar Dey.
...For BMC.**

Affidavit-of-service filed in Court today is taken on record.

The petitioners complain that payment has not been made upon submission of the bills in connection with the work order issued in favour of the petitioners by the Bidhannagar Municipal Corporation.

The representation of the petitioners seeking release of the outstanding bills is pending consideration.

Learned advocate appearing for the Bidhannagar Municipal Corporation submits that the work order was issued in the year 2018. Time to complete the work was seven days. Representation was filed by the petitioners only in April 2021 followed by reminder in August

2021. The petitioners approached this Court beyond a period of three years.

It has, however, been fairly submitted that the Bidhannagar Municipal Corporation will take steps to consider the representation filed by the petitioners seeking release of payment.

After hearing the submissions made on behalf of the parties and on perusal of the documents annexed to the writ petition, it appears that the prayer of the petitioners seeking release of payment is pending consideration.

The petitioners have not annexed any document to show that the work was completed in accordance with the work order issued.

As it appears that the representation filed by the petitioners seeking releasing payment is pending consideration, accordingly, the instant writ petition is disposed of by directing the respondent No. 4 being the Commissioner of Bidhannagar Municipal Corporation to consider the prayer of the petitioners for releasing payment provided the petitioners have completed the work in accordance with the work order issued.

An opportunity of hearing shall be given to the petitioners to produce and rely upon documents in support of the work performed. The Commissioner shall also verify the relevant documents with the records available with the Corporation.

A decision shall be taken in the matter at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

In the event the Commissioner is of the opinion that any sum is due and payable to the petitioners, then steps shall be taken for releasing the same at the earliest.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)