S/L 2
07.04.2022
Court. No. 19
GB

WPA 17551 of 2021

Ratan Biswas
Vs.
The state of West Bengal & Ors.

Md. Sarwar Jahan,
Mr. Asraf Mondal,
... for the Petitioner.

Mr. Ansar Mandal,
Mr. Sougata Mitra.
... for the State.

The writ petition has been filed challenging the inaction of the Pradhan and other gram panchayat members of Karimpur-I Gram Panchayat in releasing the legitimate dues of the petitioner on account of works that were completed pursuant to the notice inviting tender no.9 of 2016-17.

According to the petitioner, the petitioner participated in the tender and was successful with regard to the work appearing at serial no.3 of the tender notice. The said work was in relation to construction of a shop/stall and community latrine at Karimpur Bus Stand (Phase-II). The work order was issued in favour of the petitioner on April 4, 2017. The petitioner raised a bill of Rs.5,54,910/-.

The records reveal that the first R.A. bill of Rs.2,00,000/- was paid to the petitioner. A certificate of completion had also been given by the Pradhan, Karimpur-I Gram Panchayat. Such indication that the work had been successfully completed appears at the payment certificate for the first R.A. bill, which is Annexure-P/3 of Page 15 of the

writ petition. The completion certificate also appears at Page 14, Annexure-P/2, issued by the Pradhan, Karimpur-I Gram Panchayat.

Under such circumstances, this writ petition is disposed of with a direction upon the Pradhan, Karimpur-I Gram Panchayat to process the remaining amount payable to the petitioner on account of the work completed. The Block Development Officer, Karimpur Development Block shall ensure that the Pradhan, Karimpur-I Gram Panchayat complies with this order and takes necessary steps to satisfy himself about the validity of the claim for the balance amount of the petitioner and thereafter makes the payment in accordance with law, keeping in mind that the completion certificate had been issued on May 3, 2017 by the then Pradhan. The completion certificate has been annexed to the application, from which it appears that the date of completion of the work was May 1, 2017. Both the Nirman Sahayak and the Pradhan of Karimpur-I Gram panchayat, have signed the said certificate and affixed their seal.

If the petitioner is otherwise found entitled to be paid the balance payment, such payment shall be made within a period of two months from date of communication of this order. If there are any discrepancies, the petitioner shall be informed of the same. A reasoned order shall be passed and communicated to the petitioner within the aforementioned period.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)