

23.03.2022
Court No. 19
Item No.20
sn

WPA 18309 of 2021

Archa Kumar Banerjee & Anr.
Vs.
The State of West Bengal & ors.

Mr. Rabindra Kumar Jaiswal
.....for the petitioner.

Mr. M. Thakur
Mr. Swarup Kr. Ghosh
..for the respdts.2&3

The petitioners were the successful bidders in a tender process initiated by the Ghatal municipality. The work order was issued in favour of the petitioners. Thereafter, the work order was cancelled. The petitioners pray for refund of the earnest money deposited with the Ghatal municipality. The municipality failed and neglected to refund the earnest money.

Mr. Thakur, learned advocate for the municipality submits that the municipality shall consider the representation of the petitioners with regard to refund of the earnest money. He admits that the work order was cancelled by the municipality as the re-excavation work was not required in view of the extension of P.W.D. Road.

Under such circumstances, this writ petition is disposed of with a direction upon the Ghatal municipality to dispose of the representation of the

petitioners made through their learned advocate dated February 26, 2021, in accordance with law and if it is found that the petitioners are eligible for such refund, the same shall be made without unnecessary delay and harassment to the petitioners.

The petitioners shall be heard and allowed to furnish the documents in support of their claims. A reasoned order shall be passed and communicated to the petitioners.

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

Accordingly, the writ petition is disposed of.

There will be however no order as to costs.

A copy of the writ petition along with a server copy of this order be served upon the Chairman of the Ghatal municipality.

All parties are directed to act on the basis of server copy of this order and/or the learned advocate's communication.

(Shampa Sarkar, J.)