

24.03.2022
Sl. No. 17
ss

W.P.A. 20478 of 2021

M/s. Sanjay Construction

Vs.

The Howrah Municipal Corporation & ors.

Mr. Bhagbat Chaudhury
Mr. Monojit Chatterjee
... for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka
... for the H.M.C.

The petitioner was a successful tenderer in respect of a tender No.TN/ED/WS/24/2013-14 dated 16.01.2014. The work executed by the petitioner was supply and laying of 150 mm. dia pipeline at Naskar Para Road, Howrah.

The petitioner claims that the work was completed within the stipulated time and the bills have been submitted with the Howrah Municipal Corporation.

It is alleged that the Corporation has not paid the entire amount claimed by the petitioner.

Mr. Banerjee, learned Advocate appearing on behalf of the Howrah Municipal Corporation submits that a part payment of Rs.8,41,250/- has already been paid to the petitioner and the remaining claim of Rs.10,96,575/- shall be decided upon further verification of the bills and the work executed.

Under such circumstances, this writ petition is disposed of with a direction upon the Commissioner of

the Howrah Municipal Corporation or his delegatee to consider and dispose of the grievance of the petitioner in terms of demand of justice dated 17th November, 2021, in accordance with law. Such decision shall be taken within a period of three months from the date of communication of this order upon hearing the petitioner and upon giving the petitioner an opportunity to furnish documents in support of such bills. A reasoned order shall be passed and communicated to the petitioner.

It is made clear that as the matter relates to non-payment of the dues of the petitioner and the petitioner claims to have completed the work allotted by the Corporation within the stipulated time, the decision shall be taken in accordance with law on an urgent basis, and the amount found to be payable, if any, shall be disbursed immediately thereafter.

There shall be no order as to costs.

All parties are to act on the basis of server copy of this order.

(Shampa Sarkar, J.)