

S/L 2
28.09.2022
Court. No. 19
GB

W.P.A. 20710 of 2022

Ananya Enterprise, through the sole proprietress
Aparna Paria
VS
The State of West Bengal & Ors.

*Mr. Goutam Banerjee,
Mr. Sandip Kumar Mondal,
Mr. Sunil Routh,
Mr. Sourav Bera.*

...for the Petitioner.

*Mr. Samrat Sen,
Mr. Amitava Mitra.*

...for the State.

*Mr. Arindam Paul,
Ms. Parna Mukherjee,
Mr. Saswata Chatterjee.*

...for the Respondent No.5.

Affidavit-of-service filed in Court today, be kept with
the record.

The petitioner submits that certain materials were
supplied to the Shibrampur Gram Panchayat for 12 separate
works. Such works were allotted to the petitioner through a
tendering process. The said materials were supplied for
implementation of a scheme under the MGNREGA. The
allegation is that, the Block Development Officer failed to
take action despite receiving complaints that the Pradhan of
Shibrampur Gram Panchayat, had failed and neglected to
release the payments.

The learned advocate for the Pradhan submits that
the bills which were submitted by the petitioner, were not in
proper form. He also submits that there are some
discrepancies in the bills and as such, the bills could neither

be verified nor approved by the Gram Panchayat, upon inspection by the 'Nirman Sahayak'.

Under such circumstances, the allegation against the Block Development Officer is premature. The petitioner is granted leave to approach the Pradhan of Shibrampur Gram Panchayat after October 10, 2022, seeking suggestions and clarification with regard to the defects in the bills. The Pradhan and/or his representative shall assist the petitioner and indicate the defects in the bills. If such defects are rectified and the bills are submitted in a proper form, the panchayat authority shall verify the same and take necessary steps. If such approval is given, the entire issue shall be sent to the concerned Block Development Officer for re-verification. Once the entire process is completed and the petitioner's eligibility for payment is approved, the bills shall be released in accordance with law. If there are reasons to withhold part of the bills, then such reasons shall be assigned and the petitioner shall be given an opportunity to rectify such defects, as well.

The entire exercise shall be completed within a period of three months from date of petitioner's compliance of the necessary formalities as per the direction of the Pradhan. The petitioner will be communicated about the decisions and the steps taken.

This Court has not gone into the merits of the claims and counter-claims of the parties.

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 server copy of this order.

(Shampa Sarkar, J.)