

11.02.2022
Court No. 19
Item no.12
CP

WPA 21416 of 2021

Adhikari Construction
Vs.
State of West Bengal & Ors.

Mr. Arjun Mookerjee
Sk. Kiran

..for the petitioner.

Mr. Probal Sarkar

....for the Murshidabad Municipality.

Mr. Jahar Dutta
Mr. Bipin Ghosh

.....for the State.

The only prayer of the petitioner in this writ petition is that the bills which have been mentioned in paragraph 4 of the writ petition must be paid by the Murshidabad Municipality (hereinafter referred to as 'the municipality'), immediately. The petitioner was a successful tenderer. Several work orders were issued to the petitioner. The work was completed and the bills have been raised. The bills were also released. Thus, it is an admitted position that the petitioner as the successful tenderer had completed the works allotted by the municipal authorities pursuant to the tendering process and the same had been completed by the petitioner satisfactorily, or else, the bills raised would not have been paid.

Thus, this court does not find any reason as to why the security deposit lying with the municipality should not be returned.

Mr. Sarkar, learned advocate appearing on behalf of the municipality, also does not dispute the contention of the petitioner.

Under such circumstances, the writ petition is disposed of with a direction upon the competent authority of the municipality to return the security deposits of the petitioner lying with the municipality against the works completed by the petitioner, preferably within a period of six months from the date of communication of this order.

In view of the admitted claim of the petitioner, the time period mentioned hereinbefore is mandatory.

Accordingly, the writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)