

S/L 10
26.09.2022
Court. No. 19
GB

W.P.A. 21375 of 2022

Ma Lakshmi Enterprise
VS
The State of West Bengal & Ors.

*Mr. Gautam Banerjee,
Mr. Sandip Kumar Mondal.*

...for the Petitioner.

*Mr. Jahar Datta,
Mr. Bipin Ghosh.*

...for the State.

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

Despite service, none appears on behalf of the panchayat authorities.

The petitioner claims to have participated in an auction, held by the Block Development Officer, Namkhana Development Block, with regard to supply of materials for fencing and social forestry under the MGNREGA scheme. The work order was given to the petitioner. The petitioner alleges that he supplied the materials as per the work order. That he raised the bills accordingly. The bills were received by the Gram Panchayat. It is specifically alleged that even though the bills were received by the panchayat authorities, no payment has yet been made.

It appears that the petitioner approached the District Magistrate, South 24 Parganas by a letter dated August 25, 2022. The petitioner claims payment for an amount of Rs.90,24,904/-. According to the petitioner, all the 37

works/supplies were with regard to the Shibrampur Gram Panchayat.

Without going into the merits of the claim of the petitioner, the writ petition is disposed of with a direction upon the District Magistrate, South 24 Parganas to dispose of the representation of the petitioner dated August 25, 2022 in accordance with law, upon hearing the petitioner, the Pradhan of the Shibrampur Gram Panchayat as also the Block Development Officer, Namkhana Development Block. The petitioner will be entitled to file a detailed representation at the hearing, along with supporting documents. An enquiry shall be made. If necessary, a spot inspection shall be made in the presence of the parties. On the basis of what transpires at the inspection, the assessment of the eligibility of the petitioner for payment of the amount, shall be made. Thereafter, a reasoned order shall be passed and communicated to all the concerned. If it is found that the petitioner is entitled to either full or partial payment, the payment shall be released in accordance with law. If it is found that the petitioner is not entitled to any payment, in that event, specific reasons shall be assigned in the order.

The entire exercise shall be completed within a period of three months from date of communication of this order.

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.)