

16.11.2022
Court No. 19
Item No.17
CP

WPA No. 23493 of 2022

Ranajit Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Dipanjan Chatterjee
Ms. Puja Kar

...for the petitioner.

Mr. Lalit Mohan Mahata
Mr. P.B. Mahata

...for the State.

The petitioner claims to have completed a work allotted vide Work Order dated July 7, 2018, pursuant to a tender process floated by the Executive Officer, Kharagpur-II Panchayat Samity. The petitioner submits that the total estimated work was Rs.30,65,815.45/-. The work value was Rs.30,34,850.71/-. The final bill allowed in the Completion Certificate was Rs.26,49,761.00/-. The date of completion of the work as mentioned in the completion certificate was February 3, 2022 and it appears that the work had been completed.

The allegation is that only Rs. 20 lakhs had been paid and more than 6 lakhs are still outstanding. The petitioner approached the authority by filing several representations. Ultimately, when the amount remained unpaid, the petitioner filed a demand of justice through his learned Advocate. The

Block Development Officer, Kharagpur-II was approached. The demand of justice is annexure P-4 at page 24 of the writ petition.

The writ petition is disposed of with a direction upon the Block Development Officer/ Executive Officer, Kharagpur-II Panchayat Samity to dispose of the demand of justice, in accordance with law.

While disposing of the same, the completion certificate issued by the authority shall be considered. Immediate steps shall be taken for release of the funds.

The question of eligibility and entitlement cannot be raised once again in view of the completion certificate granted. The same is Annexure P-2 at page 22 of the writ petition.

It is expected that the payment shall be made within three months from the date of communication of this order.

However, if there are reasons to believe that the completion certificate was not issued by the authority concerned, in that event, reasons shall be disclosed.

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.)