

22.11.2022
Sl. No.10(DL)
srm

W.P.A. No. 24730 of 2022

Bhabani Mandal

Versus

The State of West Bengal & Ors.

Mr. Madhusudan Mandal

....for the Petitioner.

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

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner alleges that an amount of Rs.2,24,752/- is still due and payable for the work completed by the petitioner sometime in 2012. His contention is that the petitioner had constructed Saltore Bengali High School, under Neturia Panchayat Samity, District-Purulia on the basis of the work order issued by the competent authority.

Reliance has been placed on the requisition made by the Block Development Officer Neturia Development Block to the District Magistrate, Purulia, for release of the amount from the Members of Parliament Local Area Development (MPLAD) fund.

This Court does not find any reason to pass any mandatory directions in view of the lapse of time. The petitioner has approached this Court after more than ten

years and as such, the truth and veracity of such a stale claim petition cannot be assessed by the Court.

Under such circumstances, the writ petition is disposed of with a direction upon the District Magistrate, Development Section, District-Purulia, to dispose of the representation dated June 15, 2022 in accordance with law. The authority shall take a decision upon hearing the petitioner, a authorized representative of the Neturia Panchayat Samiti and the Block Development Officer. A reasoned order shall be passed and communicated to the petitioner. As the state had allotted work to the petitioner, the delay should not be used as a ground for denial of any amount if found to be legitimately and legally admissible.

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

This Court has not gone into the merits of the claim of the petitioner and the entire issue shall be decided by the concerned authority, independently and on the basis of the records available.

The petitioner is directed to serve a copy of this writ petition along with a server copy of this order upon the District Magistrate, Development Section, District-Purulia.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)