

23.12.2022
Ct. 5
D/L 24
ab

WPA 27741 of 2022

M/S Ghosh Enterprise & Ors.

-Vs-

State of West Bengal & Ors.

Mr. Swarup Paul,
Mr. Guru Saday Dutta,
Mr. Anish Roy

... for the petitioners

Mr. Debasish Ghosh,
Mr. Debraj Sahu,
Mr. Debapriya Chatterjee

... for the State

The only prayer of the petitioners is for a direction on the respondent no. 5 being the District Programme Officer, ICDS, Barasat, to consider and dispose of the representations made by the petitioners on 30th November, 2022 for waiver of earnest money and security deposit for MSMEs. The petitioners' specific case is that the petitioners are entitled to such waiver by way of a Circular issued under Rule 47A of The West Bengal Financial Rules which was notified on 10th October, 2017.

Learned advocate appearing for the petitioners submits that the petitioners are not being allowed to commence the work despite being adjudged as successful bidders by reason of the request for waiver.

The State is represented.

WPA 27741 of 2022 is disposed of with a direction on the respondent no. 5 to consider the representations made by the petitioners on 30th November, 2022 and dispose of the same by 13th January, 2023 by way of a reasoned order. The Authority concerned shall be at liberty to dispose of one of the representations since the contents of all the representations are identical. The reasoned order shall be passed upon hearing the interested parties including the petitioners. A copy of the reasoned order shall be made available to the petitioners within a week from the date of passing such order.

This order is being made subject to the petitioners' putting in the requisite court fees by 4.30 p.m. today.

(Moushumi Bhattacharya, J.)