

S/L 19
21.12.2022
Court. No. 19
GB

W.P.A. 27981 of 2022

M/s. N. Enterprise & Anr.
VS
The State of West Bengal & Ors.

Mr. Kamakshya Prasad Mukhopadhyay
...for the Petitioners.
Mr. Santanu Mitra,
Ms. Rama Haldar
...for the State.
Mr. Tapash Kr. Mondal
...for the Zilla Parishad.

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

The petitioner alleges that the South 24 Parganas Zilla Parishad did not pay the amount of Rs.29,03,636/- towards bills raised by the petitioner in respect of the works of repairing and maintenance of roads under Mayapur Gram Panchayat.

It is submitted that such works were allotted by two separate work orders dated June 29, 2020 and August 12, 2020.

Mr. Mondal, learned advocate appearing on behalf of the South 24 Parganas Zilla Parishad submits that the documents do not indicate whether the works had been completed satisfactorily. He further submits that no completion certificate has been annexed to the writ petition. Mr. Mondal further contends that whether the final bills were properly raised and had been verified and approved, is also not available in the records.

Under such circumstances, without going into the merits of the contentions of the petitioner in the writ petition, the same is disposed of with a direction upon the District Engineer, South 24 Parganas Zilla Parishad to treat the writ petition as a representation and dispose of the same in accordance with law. While doing so, an inspection shall

be made in order to verify whether the works had been completed satisfactorily. Thereafter further scrutiny shall be made as to whether the bills were raised properly and had been verified by the supervising authority. A hearing shall follow and a reasoned order shall be passed and communicated to all.

If it appears to the authority that total or partial claim of the petitioner may be allowed, necessary order shall be passed for disbursement of the amount in accordance with law. If it appears that the claim was wholly or partially unjustified, such reasons shall be disclosed in the order to be passed by the authority.

The petitioner will serve a copy of the writ petition along with a server copy of this order upon the concerned authority.

The entire exercise shall be completed within a period of two months from the 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.)