

Item No. 299(ML)

29.06.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 10479 of 2020
Bijan Bihari Mahato

v.

The State of West Bengal & Ors.

Mr. Falguni Bandopadhyay
Mr. Manas Ghosh
Ms. Riya Ballav
Ms. Sreetoma Niyogi
... for the petitioner.

Mr. Ziaul Islam
... for the State.

The petitioner alleges that in spite of completion of the work as per the Work Order issued in his favour by the Executive Officer, Para Panchayat Samity, Purulia, the payment in respect of the said work has not been disbursed in his favour till date.

The petitioner has relied upon the Work Order which was issued in his favour and the certificate of the Executive Officer of Para Panchayat Samity certifying completion of the work in all respect.

The petitioner has annexed representations made before the Executive Officer of the Para Panchayat praying for disbursement of his dues and alleges that none of the representations have been taken into consideration till date.

None appears on behalf of the Para Panchayat Samity despite service.

Affidavit-of-service filed in Court today is taken on record.

As it appears that the petitioner's grievance relating to non-payment of his dues is pending consideration for a considerable period of time, accordingly, this Court directs the District Panchayat and Rural Development Officer being the respondent no. 4 herein to take into consideration the prayer of the petitioner for disbursal of his dues strictly in accordance with law, at the earliest.

The petitioner is directed to forward all the documents in support of his claim for payment to the respondent no. 4 who shall take a decision in the matter positively within a period of twelve weeks from the date of receipt of all the documents from the petitioner.

The aforesaid respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

If the respondent no. 4 is of the opinion that the petitioner will be entitled to the sum as prayed for or any portion thereof, then necessary steps shall be taken for disbursal of the same at the earliest.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)