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04.11.2022
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**CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri**

**WPA 2408 of 2022
D. K. Dey & Co. & Ors.
-vs.-
The State of West Bengal & Ors.**

Mr. Aniruddha Biswas,
Mr. Sourav Sarkar

...for the Petitioner

Mr. Bikramaditya Ghosh,
Ms. Bedashruti Bose

...for the State

The petitioner no. 1 was entrusted with the construction work of a hundred seated hostel building at Mal Block in Jalpaiguri District by the Jalpaiguri Zilla Parishad.

It is not in dispute that the petitioner has successfully completed the construction work Annexure-P/4 to the writ petition is the certificate issued by the District Engineer, Jalpaiguri Zilla Parishad with regard to completion such construction work.

It has been submitted by Mr. Aniruddha Biswas, learned advocate appearing for the petitioner that a sum of Rs. 4,76,709/- remained unpaid to the petitioner by the said Zilla Parishad since 2018 against such construction work.

It has further been submitted by the learned advocate for the petitioner that initial security deposit,

additional security deposit, earnest money and security deposit made by the petitioners in connection with the execution of the construction work are also withheld by the Zilla Parishad.

Mr. Bikramaditya Ghosh, learned advocate representing Zilla Parishad fairly submits that the Zilla Parishad will disburse the said unpaid amount to the petitioner within a short period of time. Mr. Ghosh also submits that deposits lying with Zilla Parishad under the different heads shall also be refunded to the petitioner.

In view of the fair stand taken by the relevant Zilla Parishad, nothing remains decided in this writ petition.

Accordingly, this writ petition is disposed of with a direction upon the Zilla Parishad to release the said admitted due of Rs. 4,76,709/- within a period of two months from date of this order together with the interest @ 6% per annum to be calculated from the date of issuance of the completion certificate till the date of payment. The deposits lying with the Zilla Parishad in connection with the said construction work shall also be refunded to the petitioner within the said period of two months.

W.P.A. 2408 of 2022 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)