

OD-7

ORDER SHEET
WPO 2740 OF 2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

M/S. TECHNOMAKE SOLUTIONS PVT. LIMITED AND ANR.
Versus
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date : 29th September, 2022

Appearance:
Mr. Raghunath Chakraborty, Adv.
For petitioners
Mr. Alak Kr. Ghosh, Adv.
Mr. Gurudas Mitra, Adv.
For KMC
Ms. Tapati Samanta,
Adv. for State

The Court: Affidavit of service filed in Court is taken on record.

The petitioners submits that certain bills are payable by the Kolkata Municipal Corporation in respect of the work performed by the petitioners in accordance with the work orders issued.

The petitioners filed representation before the Municipal Commissioner in September 2020 followed by reminder dated 22nd August, 2022 and allege that the same has not been taken up for consideration till date.

The petitioners rely upon a communication made by the Municipal Commissioner to the Additional Chief Secretary, Department of Power & Non Conventional Energy Sources, Government of West Bengal on 6th May,

2019 requesting reallocation of funds for payment in connection with the work orders relating to the Carbon Neutral Solar PV Street lights.

As it appears that the representation filed on behalf of the petitioners are pending consideration at the end of the Kolkata Municipal Corporation, accordingly, the instant writ petition is disposed of by directing the Municipal Commissioner or his delegate to consider the representation filed on behalf of the petitioners on 22nd August, 2022 after giving an opportunity of hearing to the petitioners and any other necessary party and thereafter take a decision in the matter in accordance with law, at the earliest preferably within a period of twelve weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the parties immediately thereafter.

It will be open for the Municipal Commissioner or his delegate to cause a spot inspection to ascertain as to whether the work was done in accordance with the work order issued.

Learned advocate for the petitioners is directed to forward a copy of the representation dated 22nd August, 2022 along with all other supporting documents in respect of their claim to the aforesaid respondent at the time of communicating the order of the Court.

As the writ petition is being disposed of without calling for any affidavits, the allegations made therein are deemed not to have been admitted by the respondents.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)

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