

ML 262
02.02.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 700 of 2022

**Prasanta Das
-versus
The State of West Bengal & Ors.**

**Mr. Probal Sarkar.
...For the Petitioner.**

**Mr. Susanta Pal,
Ms. Ananya Neogi.
...For the State.**

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

None appears on behalf of the Municipality in spite of service.

The petitioner claims to have performed certain work in accordance with the work order issued by the Jiaganj-Azimganj Municipality in the year 2004. The estimated cost of the work as mentioned in the work order is Rs.3,75,036/- only.

The petitioner alleges that payment has not been made despite the work being completed in accordance with the work order.

Reference has been made to certain communications, made by the petitioner in the year 2005.

A notice demanding justice was served upon the Administrator of the Municipality in January 2021.

It appears from the documents annexed to the writ petition that the claim of the petitioner relates back to the year 2004. There is hardly any communication made by the petitioner between 2006 till 2020.

It seems that the petitioner slept over his right to receive payment consequent to the work performed by him.

It will not be proper to entertain the prayer of the petitioner after delay of nearly two decades.

In view of the above, the writ petition stands dismissed.

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

(Amrita Sinha, J.)