

30.01.2023
Sl. No.20(DL)
srm

W.P.A. No. 884 of 2023
Loknath Construction and Furniture
Versus
The State of West Bengal & Ors.

Mr. Gouranga Kumar Das,
Mr. Sandip Kumar Mondal,
Ms. Riya Das

....for the Petitioner.

Mr. Lalit Mohan Mahata,
Mr. Prasanta Behari Mahata

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner contends that pursuant to a work order issued sometime in 2014, the petitioner constructed some sub-centers under the gram panchayat headquarters of Narayanpur Gram Panchayat, South 24-Parganas. According to the petitioner, part payment of Rs.4,84,000/- was made. The petitioner claims that a further sum of Rs.5,11,451/- is still outstanding. Several allegations have been made against the Pradhan of the said gram panchayat.

Without going into the merits of case and the allegations made by the petitioner against the Pradhan, the writ petition is disposed of with a direction upon the Block

Development Officer, Namkhana, South 24-Parganas to dispose of the representation of the petitioner, which is at page 30 of the writ petition, in accordance with law. The concerned authority shall grant an opportunity of hearing to the petitioner and permit the petitioner to produce documents in support of such claim. The completion certificate must be produced before the authority along with the approved final bill. The concerned Pradhan or his representative shall be heard along with the petitioner.

If the authority finds that the work order had been issued, the work had been sanctioned, the work had been completed and completion certificate had been issued by the concerned gram panchayat certifying that the entire amount claimed by the petitioner was payable, the outstanding amount shall be disbursed.

If the allegation of the petitioner is found to be incorrect or if no completion certificate had been issued upon completion of the entire work in terms of the work order, in that event the authority shall disclose the reasons for not acceding to the claim of the petitioner.

A reasoned order, in either case, shall be passed and communicated to all.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

This Court has not gone into the merits of allegations of the petitioner.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)