

11th October,
2023
(AK)
07

W.P.A 2237 of 2023

Masibul Hassan
Vs.
The State of West Bengal and others

Mr. Arka Maiti
Ms. Gulsanwara Pervin
...for the petitioner.

Mr. Jayanta Samanta
Ms. Sinthia Bala
...for the State.

1. A written instruction is handed over by learned counsel for the State which indicates that, as per the respondents, the total payable amount to the petitioner was Rs. 8,31,216/- out of which, after deduction of GST, Cess and income tax, total Rs. 7,97,967/- was paid to the petitioner vide the Office Bank Advice No.883/G/En dated December 28, 2022, a copy of which is also enclosed with the written instruction.

2. However, learned counsel for the respondents submits that if the petitioner is not satisfied with such instructions, the respondents are willing to give a further hearing to the petitioner for the purpose of ascertaining whether there are any further dues by the respondents to the petitioner.

3. In view of such fair submission, since in any event it would be inappropriate for the writ court to assess

evidence for the purpose of ascertaining the actual dues by the respondents to the petitioner, WPA 2237 of 2023 is disposed of by directing the respondents to give a further notice of hearing to the petitioner within a week from date, for the purpose of the petitioner ventilating his grievance, if any, regarding further dues of the respondents to the petitioner.

4. In the event the petitioner can substantiate such further claims by virtue of necessary documents and other materials, the respondents shall take immediate steps to disburse the dues.

5. It is expected that such exercise shall be concluded within three weeks from date.

6. It is further clarified that since no affidavits have been directed, it is deemed that none of the allegations made by either of the parties against each other are admitted.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)