

Item No.62
21.03.2023
Court. No. 19
GB

WPA 3852 of 2023

Abdul Rahim
Vs
The State of West Bengal & Ors.

Mrs. Juin Dutta Chakraborty

...for the Petitioner.

*Mr. Rama Prasad Sarkar,
Mr. Sutanu Chakraborty*

...for the State.

*Mr. S. Bhattacharya,
Mr. Ziaul Haque,
Mr. H.S. Mahata*

...for the Respondent Nos.3 & 4.

The instruction of the State respondents and of the Md. Bazar Panchayat Samity are that the petitioner had completed the work. An amount of Rs. 8,35,235/- is due and payable. As the panchayat samity is of the view that the work had been completed and had already requested the higher authority for release of funds, the question of non-issuance of the completion certificate at this stage, is no longer relevant.

Under such circumstances, the petitioner is at liberty to approach the Secretary, Department of Minority Affairs and Madrasha Education with his grievances.

The Secretary, Department of Minority Affairs and Madrasha Education shall hear the learned advocate for the petitioner who shall be entitled to appear before the authority. A responsible officer of the panchayat samity and a responsible officer from the office of the District Magistrate shall also be heard. Necessary orders will be passed.

If the petitioner is found eligible for payment, the same shall be released in accordance with law. If the petitioner is found ineligible for the payment, the reasons shall be assigned in the order. A reasoned order shall be passed and communicated to all.

This court has not gone into the correctness of the claims of the petitioner.

The entire exercise shall be completed within a period of eight weeks from the date of receipt of the representation of the petitioner.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)