

10.04.2023
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Sl. No. 08
Ct. No. 05

WPA 6248 of 2023

Adhunik Infrastructures Pvt. Ltd. & Anr.
-Versus-
The State of West Bengal & Ors.

Mr. Kishore Dutta
Mr. Debjit Mukherjee
Mrs. Sunita Shaw
Mrs. S. Chatterjee
Mrs. Rishika Goyal

.....for the petitioners

Ms. Sweta Mukherjee
Mr. Ratul Das

.....for the State

Mr. Abhrotosh Majumder
Mr. Sarvapriya Mukherjee
Mr. Arif Ali
Mr. Aviroop Mitra

.....for the HRBC

The documents placed by learned counsel appearing for the parties before this Court show that the amount due to the petitioners for work done in dismantling and removal of concrete floor, walls etc. of a factory shade at Singur is an admitted amount.

The respondent HRBC has recorded the admissible claim of the petitioner to be Rs. 46,65,80,067/- of which Rs. 32,42,40,705/- has been paid till date. This is by way of a letter dated 31st May, 2022. HRBC issued further letters in 2022-2023 the last of which is of 24th February, 2023 which clearly states that HRBC is unable to make the payment to the petitioners as a result of non-availability of funds.

The arrangement appears to be that the State Government will release funds to HRBC who in turn will pay petitioner No. 1. This would also be corroborated by a letter written by the petitioner No. 1 to the Chief Secretary, Government of West Bengal on 22nd December, 2022.

Whatever the case may be, the certificate of 27th February, 2023 admits that the petitioners are due to get payment of Rs. 14,23,39,362/- for the work which was satisfactorily done and declared so by certificates issued by HRBC in August, 2018 and November, 2019.

Learned counsel appearing for the petitioners submits on instructions that the petitioners are willing to forgo the claim of interest for the time being.

WPA 6248 of 2023 is disposed of with the direction on the respondent No. 1 to release the admitted amount, being the principal sum, of Rs. 14,23,39,362/- to the HRBC within twelve weeks from date. HRBC shall disburse this amount to the petitioners immediately upon receiving the amount which shall not be later than seven days from the date of receipt of the amount by HRBC from the respondent No. 1.

(Moushumi Bhattacharya, J.)