

30.1.2023

Ct.19/sl.504

sn

WPA 8752 of 2022

Srimanta Gope

Vs.

The State of West Bengal & Ors.

Mr. Arup Krishna Das

...for the petitioner

Mr. Sudipto Panda

Ms. Munmun Tewari

.for the State

The petitioner was allotted some work pursuant to a Notice Inviting Tender. Some schemes under the M.P.LADS Fund has been executed. The work was completed on March 14, 2019 and the bill was approved by the Executive Officer, Jamuria Panchayat Samiti on May 14, 2019. The petitioner has not been paid the money due to non availability of funds. The petitioner had completed the work allotted to him and the final bill had been accordingly approved by the competent authority of the panchayat samiti.

There are no reason why the legitimate dues of the petitioner should not be paid.

The Executive officer of Jamuria Panchayat Samiti has filed a report before this Court. It appears that the Additional District Magistrate (Development), Paschim Bardhaman was approached for release of the funds vide memo no. 316 dated April 27, 2020 but no response was received. Subsequently, the

District Magistrate, Paschim Bardhaman was also approached for release of funds.

It is specifically contended that the Executive Officer, Jamuria Panchayat Samiti tried his best to ensure that the payment was made to the petitioner. It appears that the authorities are willing to pay the outstanding dues to the petitioner once the funds are mobilized.

The District Magistrate, Paschim Bardhaman shall take steps for release of the fund so that the payment can be made to the petitioner in terms of the certificate attested on the first and final bill by the Junior Engineer, Jamuria Block and also by the Executive Officer of the Samiti.

This writ petition is disposed of with a direction upon the District Magistrate, Paschim Bardhaman to treat the writ petition as a representation and dispose of the same in accordance with law by making necessary payment to the petitioner within a period of four months from the date of communication of this order.

This writ petition is disposed of.

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

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

(Shampa Sarkar, J.)