

01.05.2023
Court No. 19
Item 28
CP

WPA 9138 of 2023

Narugopal Giri
VS
The State of West Bengal & Ors.

Mr. Kamal Mishra
Mr. Pratap Sanfui

... for the Petitioner.

Mr. Ansar Mondal
Ms. S. Bhattacharyya

... for the State.

The petitioner alleges that even after completion of the work in terms of the Notice Inviting Tender No. 15 of 2019-2020, the total amount claimed by the petitioner has not yet been paid. Only a partial amount of Rs.11,61,213/- had been released.

The petitioner submits that a further amount of Rs.10, 83, 514/- is due and payable.

Under such circumstances, the writ petition is disposed of with a direction upon the District Magistrate, Purba Medinipur to dispose of the representation of the petitioner which is Annexure P-5 at page 27 of the writ petition, in accordance with law.

While deciding the issue, the petitioner, the Additional Executive Officer, Purba Medinipur Zilla Parishad as also the concerned engineer of the zilla

parishad who was involved with the execution of the work, shall be heard.

A reasoned order shall be passed and communicated. If the petitioner is found entitled to receive the outstanding payment, necessary steps shall be taken. If the petitioner is found ineligible to receive the payments as claimed, then the reasons for such finding shall be disclosed in the said order.

The court has not gone into the merits of the claims.

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

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)