

11.04.2023
Court No. 19
Item No.56
CP

W.P.A. No. 11440 of 2022
Noapara Mahila Kalyan Samiti
Versus
State of West Bengal & Ors.

Mr. Samrat Choudhury
Mr. A. Dey

....for the Petitioner.

The petitioner claims to have successfully completed construction of 32 household toilets under the 'Nirmal Bangla' Scheme within Mayureswar – II Block. It is submitted that the completion certificate was issued in respect of all the toilets, but the muster roll for 22 toilets was issued, instead of 32.

The Block Development Officer, Mayureswar – II Block, who is also the Executive Officer of the Mayureswar – II Panchayat Samiti shall treat the writ petition as a representation and dispose of the same in accordance with law.

While disposing of the matter, the petitioner and any other interested person involved in the execution of the work shall be heard. Eligibility of the petitioner to receive payment for the construction of all the 32 toilets shall be decided. The issue as to non-grant of the muster roll for 10 toilets, shall also be decided.

Upon completion of the hearing, a reasoned order shall be passed and communicated.

If the petitioner is found eligible for payment in respect of the work done, the same shall be released. If the authority comes to a finding that neither complete payment nor partial payment can be made, such reasons shall be disclosed in the order to be passed.

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

A copy of the writ petition along with a server copy of this order be served upon the concerned Block Development Officer for necessary compliance 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.)