

20.09.2023
Item No.21
gd/ssd

WPA/12660/2018
MACRO ZED TECHNOLOGIES & ANR.
VS
STATE OF WEST BENGAL & ORS.

Mr. Partha Pratim Roy,
Mr. Dipankar Haldar
..for the Petitioners.

Md. T.M. Siddiqui,
Mr. Suddhadev Adak
..for the State.

The memo dated 29.08.2023 filed by the State and the copy of the affidavit filed by the petitioners are taken on record.

In this writ petition the petitioners have prayed for a direction upon the respondent authorities to forthwith disburse the payment due to the petitioners in terms of the work order dated December 29, 2017 for supply and installation of Iris Scanner, Finger-Print Scanner and Printer towards implementation of bio-metric system under 'e-Prison Suite'.

It has been admitted by the respondent authorities that the entire consignment was received as per the tender notification and the bill valued at Rs.1,05,62,400/- has also been approved by the respondent authorities. It is also not in dispute that out of the aforesaid amount a sum of Rs.70 lakhs

has already been disbursed in compliance of the orders dated September 18, 2018 and January 9, 2019 passed in this writ petition.

The learned advocate for the petitioners submits that the balance amount of Rs.35,62,400/- still remains to be paid by the respondent authorities to the petitioners.

Mr. Siddiqui, learned advocate appearing for the State files a copy of the Memo No.295/LC/CC-54/2023 dated August 29, 2023 and submits that the amount due shall be released in favour of the petitioners within a short period of time.

It appears from the said Memo that the petitioners were directed to file an affidavit stating that they will provide all necessary assistance during integration of Iris Scanners into the online Correctional Home Management System as per the tender notice.

Mr. Roy, learned advocate appearing for the petitioners submits that an affidavit to such effect duly notarized has already been submitted before the respondent authorities which fact has also not been disputed by Mr. Siddiqui, learned advocate representing the State.

Since the last of the two part payments was made only on January 9, 2019 and the balance sum is lying due and payable from the said date, this

court is of the considered view that the petitioners are entitled to interest at the rate of 6% per annum on the outstanding amount with effect from 9th January, 2019 till the date of the payment of the said outstanding amount.

The Principal Secretary, Department of Correctional Administration, Government of West Bengal, being the 2nd respondent is directed to release the balance amount of Rs.35,62,400/- together with simple interest at the rate of 6% per annum with effect from 9th January, 2019 till the date of making such payment. Such amount shall be credited to the bank account of the petitioners. The payment in terms of this order shall be made as expeditiously as possible but positively on or before October 10, 2023.

The learned advocate-on-record of the petitioners is directed to furnish the particulars of the bank account of the petitioners as well as other necessary particulars to which such payment is to be credited to Mr. Siddiqui, learned advocate representing the State on or before 4 p.m. of 21st September, 2023.

With the above observation and direction, the writ petition stands disposed of.

There will not order as to costs.

Urgent certified copy of this order, if applied for, be given to the learned advocates for the parties on usual formalities.

(HIRANMAY BHATTACHARYYA, J.)