

18.10.2023
Item No.15
gd/ssd

FMA/229/2022
IA NO: CAN/1/2022
SUDARSAN DAS
VS
UNION OF INDIA AND ORS.

Mr. Anil Kumar Chattopadhyay
..for the Appellant.

Mr. Soumya Majumder,
Mr. Victor Chatterjee,
Ms. Sharmistha Ghosh
..for the Respondent Nos.2 to 5.

1. This intra court appeal by the writ petitioner is directed against the order passed on 12th July, 2021 in WPA 8451 of 2020 by which the writ petition which was filed by the appellant to consider his representation relating to an appeal dated 27.06.2012 was dismissed on the ground of delay and laches.

2. As could be seen from the relevant documents which have been annexed to the stay petition, the appellant has been repeatedly addressing the authorities for releasing the amount of Rs.3,14,000/- for the work which, according to the appellant, has been completed.

3. Considering the peculiar facts and circumstances of the case, though it is submitted by the learned advocate for the respondents that the claim is stale claim, yet the respondent being a Public Sector

Undertaking can take a reasonable approach in the manner and consider the petitioner's representation.

4. In the result, the appeal is disposed of by directing the 3rd respondent to consider the petitioner's representation dated 26.07.2014 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of the server copy of this order.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)