

16th October,
2023
(AK)
30

W.P.A 14715 of 2023

English Bazar Gram Unnayan Samity
Vs.
The State of West Bengal and others

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
...for the petitioner.

Ms. Sonal Sinha
Mr. Avishek Prasad
...for the State.

1. Despite service, none appears for the other respondents than the State.
2. Affidavit-of-service filed in court today be kept on record.
3. The petitioner worked for the concerned Zilla Parishad and submitted bills duly. Subsequently, upon the petitioner's query under the Right to Information Act, the SPIO (State Public Information Officer), Malda Zilla Parishad intimated that the total outstanding dues towards the work done by the petitioner was Rs. 17, 35,000/-.
4. However, till date the said amount has not been cleared by the said respondents.

5. Learned counsel for the State submits that the Zilla Parishad is represented by a different set of counsel.

6. Upon hearing learned counsel for the parties, it is clear that vide the information supplied on February 8, 2022 by the Malda Zilla Parishad as annexed at page-54 of the writ petition, the Zilla Parishad clearly admitted the dues of the petitioner to be Rs. 17, 35,000/-

7. Hence, no factual question is required to be adjudicated on merits upon taking evidence, in view of such specific admission of the employer.

8. Accordingly, WPA 14715 of 2023 is allowed, thereby directing the respondent nos.5 and 6 to disburse the amount of Rs. 17,35,000/- to the petitioner within six weeks from date, in lieu of work done by the petitioner.

9. The respondent no.1 shall ensure that the due funds are released in favour of the concerned Zilla Parishad for the purpose of paying the petitioner.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)