

Item No.37

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

11.10.2023
Ct-24

WPA 14902 of 2023
Soumen Kundu

v.

The State of West Bengal & Ors.

Mr. Samiran Mondal
Mr. Sasthi Charan Dhara
... for the petitioner.

Ms. Sangeeta Roy
Mr. V. Agarwal
... for the State.

Mr. Soumik Ganguly
... for Bankura Zilla Parishad.

The petitioner claims payment in respect of the work order issued in his favour for construction of check dam and allied works under Jalatirtha Programme under Ranibandh Development Block in the year 2019.

The petitioner asserts that work was completed in terms of the work order and bills submitted for payment. The payment is yet to be released.

Repeated representations before the respondents yielded no result.

A completion certificate issued by the District Engineer, Bankura Zilla Parishad has been annexed to the writ petition.

Learned advocate representing the Zilla Parishad submits, upon instruction that, various schemes under the Jalatirtha Project were sanctioned in the years 2016 to 2019 but the project got delayed in execution due to various reasons.

The fund allotted for such work was refunded pursuant to the order of the Finance Department dated 3rd April, 2020.

The Zilla Parishad admits that the schemes had been completed and the dues are pending.

The District Magistrate, Bankura and the Executive Officer of the Bankura Zilla Parishad has sought approval for allotment of fund amounting to Rs. 6,76,27.000/- only for completion of the scheme under Jalathirtha.

As it appears that the Zilla Parishad has certified that the work order was duly executed and the payment is due, accordingly, the Secretary, Department of Panchayat and Rural Development is directed to take steps for approval and allotment of fund so that the dues of the petitioner may be cleared.

It will be open for the Secretary, Department of Panchayat and Rural Development to seek for records from the District Magistrate, Bankura and the Executive Officer, Bankura Zilla Parishad with regard to the documents in support of the work executed by the petitioner.

If it appears that the work was duly conducted in accordance with the work order, then steps shall be taken for releasing the fund.

Steps shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

Learned advocate for the petitioner is directed to forward copy of the work order and supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)