

27.04.2023
Court No. 19
Item 191
CP

WPA No. 17277 of 2022

Md. Nejamuddin @ Mahammad Nejamuddin
Vs.
The State of West Bengal & Ors.

Mr. Ranojoy Chatterjee

....for the petitioner.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the respondents.

The petitioner claims to have supplied raw materials to the Samsi Gram Panchayat under Ratua-I Development Block, Malda, pursuant to work orders issued for implementation of the MGNREGA projects. A certificate of the Pradhan, Samsi Gram Panchayat, has been relied upon.

Allegation is, that although the Pradhan had issued the certificate on October 12, 2020, indicating that all the materials had been supplied by the petitioner, no payment has yet been released. The petitioner approached the Pradhan, Samsi Gram Panchayat for release of Rs.63,25,182/- along with interest. The said representation of the petitioner has not been disposed of as yet.

Under such circumstances, the writ petition is disposed of granting liberty to the petitioner to

approach the Block Development Officer, Ratua-I Block with his prayer for release of the admitted dues.

If such representation is filed, the same shall be disposed of in accordance with law, upon hearing the petitioner as also the Pradhan. Necessary order will be passed. The claim of the petitioner if found admissible, the amount shall be released. If the claim of the petitioner cannot be wholly or partly allowed, reasons shall be recorded in writing. The reasoned decision shall be informed to all the parties including the petitioner.

The court has not gone into the merits of the claims and the authority will decide the entire issue on the basis of the records and submissions to be made by the petitioner.

The entire exercise shall be completed within a period of eight weeks from the date of receipt of the petitioner's representation.

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.)