

11th December,
2023
(AK)
17

W.P.A. 20203 of 2023

M/s. Kankinara Engineers Co-operative Society Ltd. and
others
Vs.
The State of West Bengal and others

Mr. B. B. Sarker
Ms. Iti Dutta
Ms. Priti Jain
Mr. Pratit Sarkar

...for the petitioners.

Mr. Jayanta Samanta
Mr. Ritesh Kr. Ganguly

...for the State.

Mr. Sirsanya Bandopadhyay
Mr. Avishek Guha
Ms. Akansha chopra

...for the respondent nos.2 to 6.

1. Learned counsel for the petitioners at the outset submits that deficit court fees have been paid equivalent to separate writ petitions, if filed on behalf of all the petitioners.
2. Although learned counsel for the State takes a preliminary objection as to maintainability of the writ petition since the petitioners ventilate their individual causes of action, in view of payment of equivalent court fees equal to separate writ petitions for each of the petitioners, such objection is turned down.
3. The writ petition is treated to be a composite one in respect of all the writ petitioners.

4. The grievance of the petitioners is that they did electrification work for the respondent authorities for the Under-17 World Cup Football competitions in the year 2017, but despite having raised bills, those were not processed duly by the respondent authorities. The petitioners allegedly made claims to the respondents for their payments which were never disbursed by the respondents.

6. Learned counsel for the respondents takes a preliminary objection as to limitation and submits that otherwise the respondents have no objection to considering the claims of the petitioners.

7. The question of limitation cannot be decided *ex facie*, since an arguable question has been raised as to what would be the commencement of the period of limitation, since the petitioners argue that the bills were not finally processed by the respondents to furnish a cause of action for the petitioners.

8. Be that as it may, since all the claims of the petitioners have been annexed by way of annexures to the writ petition, it would only be appropriate at this stage to direct the respondents to consider such claims and to take a call on the same.

9. Accordingly, WPA 20203 of 2023 is disposed of by directing the respondents to consider the monetary claims made by the petitioners individually for work done by them for the respondents and upon giving an

opportunity of hearing to each of the petitioners on their respective claims and a detailed consideration in accordance with law, to take a final decision as to the entitlement of the petitioners on such score.

10. The entire exercise shall be concluded by the respondents within six weeks from date.

11. Immediately thereafter, the respondents shall disburse the amounts due to each of the petitioners, preferably within a fortnight thereafter.

12. Upon coming to a conclusion as indicated above, the respondents shall furnish copies of reasoned orders in respect of each of the petitioners on their respective claims, to the petitioners.

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.)