

S/L 8
6.2.2023
Court. No. 19
sn

W.P.A. 27709 of 2022

Mir Abuzar
VS
The State of West Bengal & Ors.

Mr. D.N. Chatterjee
Mr. Ramkrishna Biswas
Mr. S.C. Saha

...for the Petitioner.

Mr. Mujibar Rahaman
Mr. Benazir Ahmed

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

Despite service, none appears on behalf of the respondent nos.3,6 and 8. As this Court is not passing any mandatory orders in terms of the prayers made in the writ petition, but is relegating the entire matter before the competent authority to decide the allegation of the petitioner, the matter is taken up in the absence of the said respondents.

This writ petition is disposed of with a direction upon the Executive Officer of Burdwan-I Panchayat Samiti to intimate the petitioner the reasons as to why the entire amount of Rs. 6,83,578/- had not been paid to the petitioner. A co-ordinate Bench of this Court had directed the authority to decide the claim of the petitioner in accordance with law. According to the petitioner, there is an outstanding due of Rs,1,33,578/-.

Learned advocate for the State respondents submits that the petitioner was claiming money for some extra work which was allegedly executed by him on the verbal direction of a person not competent to issue such orders.

This order is being passed upon the Executive Officer on the ground that the petitioner is entitled to know the reasons why the remaining amount of Rs.1,33,578/- had not been paid. Such reasons shall be communicated to the petitioner within a period of eight weeks from the date of communication of this order. Before the order is passed, the petitioner will be given an opportunity of being heard.

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.)