

06.02.2023  
Court No. 19  
Item No.09  
CP

WPA No. 27742 of 2022

Mir Abu Zar  
Vs.  
The State of West Bengal & Ors.

Mr. D. N. Chatterjee  
Mr. R. K. Biswas  
Mr. P. Pal

....for the petitioner.

Mr. Malay Singh  
Mr. Bibekananda Tripathy

...for the State.

The Block Development Officer, Burdhaman – I Development Block, shall intimate the petitioner by a order, inter alia, stating the reasons as to why the entire amount of Rs.13, 30,499/- had not been paid to the petitioner against the nine projects which were allegedly completed by the petitioner in terms of work order nos. 472 dated 17.06.2019, 470 dated 17.06.2019, 473 dated 17.06.2019, 474 dated 17.06.2019, 475 dated 17.06.2019, 471 dated 17.06.2019, 651 dated 16.11.2018, 650 dated 16.11.2018, 815 dated 19.09.2019.

The petitioner's contention is that part payment had been released but the deduction of a substantial amount was unjustified.

It is the specific contention of Mr. Singh, learned advocate for the State, that the petitioner had completed

some work which were beyond the scope of the work orders, allegedly on the basis of verbal instructions from an authority not competent to give such instruction. As such, the entire amount claimed by the petitioner for such work cannot be paid.

This order is being passed because the petitioner is entitled to know the reasons as to why full and final payment as claimed by the petitioner was not made. Before such decision is taken by the authority, the petitioner shall be allowed to place his case.

The Block Development Officer, Burdhaman – I Development Block shall intimate the petitioner such reasons for non-payment of the entire amount, upon hearing the petitioner. Such order will be passed within a period of two months from the date of communication of this order.

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.)**