

4.1.2023
Sl.No.17/sn

WPA 28715 of 2022

Samser Alam
Vs.
The State of West Bengal & Ors.

Ms. Juin Dutta Chakraborty
..for the petitioner
Mr. Ziaul Islam
Mr. Razzal Hossain ..for the State

Let the affidavit of service be taken on record.

The petitioner is aggrieved as the amounts of Rs.98,205/- and Rs.98,160/- had not been released by the Executive Officer, Md. Bazar Panchayat Samiti, District Birbhum, although the petitioner completed both the works of construction of a kitchen shed at Darshandaria(166) AWC within Hinglow Gram Panchayat and a kitchen shed at Sarenda 1(89) AWC within Hinglow Gram Panchayat, under MSDP.

It is stated that although the work was completed and bills were raised, no payment had been made.

Mr. Islam, learned advocate for the State respondents submits that the Deputy Secretary to the Government of West Bengal, Department of Paschimanchal Unnayan Affairs had already taken steps to obtain a report from the District Magistrate, Birbhum with regard to the actual state of affairs.

The Principal Secretary, Paschimanchal Unnayan Affairs Department, is the appropriate authority to release the funds.

Under such circumstances, the petitioner is at liberty to approach the Principal Secretary, Paschimanchal Unnayan Affairs Department with his grievances.

The Principal Secretary, Paschimanchal Unnayan Affairs Department shall hear the learned advocate for the petitioner who shall be entitled to appear before the authority. A responsible officer of the Panchayat Samiti and a responsible officer of the office of the District Magistrate, shall also be heard. Necessary orders will be passed.

If the petitioner is found eligible for payment, the same shall be released in accordance with law. If the petitioner is found ineligible for the payment, reasons shall be assigned in the order. A reasoned order shall be passed and communicated to all.

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

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)