

09.01.2023
Sl. No.32(DL)
srm

W.P.A. No. 29074 of 2022
Sirius Engineering Co-operative Society Limited
Versus
The State of West Bengal & Ors.

Mr. Gazi Faruque Hossain,
Mrs. Chandra Paul,
Ms. Priyanka Mandal

....for the Petitioner.

Mr. Manas Kundu,
Mr. Debabrata Mondal

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the Paschim Bardhaman Zilla Parishad.

The writ petition is disposed of with a direction upon the competent authority of the Paschim Bardhaman Zilla Parishad to treat the writ petition as the representation of the petitioner and dispose of the same in accordance with law.

It is an admitted position that a work order was issued in favour of the petitioner sometime in 2015-2016 for repair of Kalipahari Andal Road (from Naramkuri Primary School to Durga Kali Mandir in Egra G.P.) within Raniganj Police Station when the district of Burdwan had not been bifurcated.

It has been categorically stated that the petitioner received sum of Rs.8,25,000/- before bifurcation of the district of Burdwan. After bifurcation of the district of Burdwan, further, Rs.7,81,690/- was also received on different dates and lastly in 2020. It is alleged that an amount of Rs.4,69,104/- together with security deposit of Rs.78,169/- are still payable by the Paschim Bardhaman Zilla Parishad.

Such claim of the petitioner shall be decided in accordance with law. If the claim is found to be genuine and admissible, a reasoned order shall be passed to that effect and the payment shall be released in accordance with law. If the claims of the petitioner are found to be inadmissible, reasons for such finding shall be disclosed in the reasoned order. The order so passed, in either case, shall be communicated.

The entire exercise shall be completed within a period of two months from the date of receipt of the copy of the writ petition along with a server copy of this order.

This Court has not gone into the merits of the claim of the petitioner.

This order is being passed upon the Sabhadhipati, Paschim Bardhaman Zilla Parishad as the work was executed within the jurisdiction of the concerned zilla parishad.

A copy of the writ petition along with a server copy of this order be served upon the Sabhadhipati, Paschim Bardhaman Zilla Parishad.

The writ petition is, thus, disposed of

There shall be no order as to costs.

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

(Shampa Sarkar, J.)