

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

12 12.09.2023
spal Ct. no. 2

WPA/634/2023

**RUDEN SADA LEPCHA
VS
TRIBAL DEVELOPMENT DEPT
AND ORS.**

Mr. Bodhisatta Biswas

....For the Petitioner

Mr. Hirak Barman

....For the State

The petitioner is engaged in the business of construction of roads and buildings as an independent contractor.

The present disputes pertain to construction of a school situated at Kalimpong. By a work order dated 8 March, 2019, the tender submitted by the petitioner was duly accepted by the respondent no.4, who is the Executing Authority for the aforesaid works. It is submitted that the work has been successfully completed and a Certificate dated 18 March, 2021 had also been issued to the petitioner.

The grievance of the petitioner in the present writ petition pertains to non-payment of an amount of Rs.1,19,66,000/- due and payable to the petitioner in respect of the aforesaid work order.

During the pendency of the writ petition, it is an admitted fact that the petitioner has received the entire consideration of Rs.1,19,66,000/-.

In view of the fact that the entire principal dues as prayed for in the petition has been duly paid, nothing survives in this writ petition.

In such circumstances, WPA/634/2023 stands disposed of.

(Ravi Krishan Kapur, J.)