

23.11.2023
Sl. No.33
srm

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

W.P.A. No. 2526 of 2023

M/s. Chitta Ranjan Ghosh

Versus

The State of West Bengal & Ors.

Mr. Debayan Goswami

....for the Petitioner.

Mr. Pretom Das,

Mr. Sourav Sarkar

.....for the State-respondents.

Mr. Sudip Kumar Paul

...for the respondent No.4.

It appears that the petitioner was issued a work order by the Superintending Engineer, P.W.D., North Bengal Construction Circle No.1, Cooch Behar dated January 22, 2019 for vertical extension of light weight structures for the purpose of scanning and digitization of case records under the phase-II of e-court project, Cooch Behar, in the District of Cooch Behar. The work was completed but no payment was made.

The petitioner submits that the entire payment is outstanding and although the petitioner has been running from pillar to post, not a single farthing has been paid.

It appears that an administrative approval of Rs.85,52,318/- was accorded in 2018-19. The above noted work was completed as per the communication of the Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar which appears from the letter written to the Joint Secretary, Government of West Bengal, Judicial Department on May 23, 2023. The Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar prayed for release of the funds for payment within financial year 2023-24.

It appears that the Joint Secretary, Government of West Bengal, Judicial Department has not yet responded to the request made by the Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar. The construction raised by the petitioner for the e-court project has been completed successfully as per the version of the Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar.

Once there was an administrative approval from the concerned department for execution of the work, there cannot be any reason for withholding the funds which are required to be paid to the contractor who has executed the work to the satisfaction of the authority. Projects of the judicial department which have been undertaken should

be treated with respect and promptitude and the contractor should be paid their dues without further waste of time.

Under such circumstances, the Joint Secretary, Government of West Bengal, Judicial Department shall forthwith ensure that the fund is released within a period of four weeks from date of communication of this order for onward payment to the petitioner within two months thereafter.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)