

23.11.2023
Sl. No.35
srm

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

W.P.A. No. 2528 of 2023

M/s. Chitta Ranjan Ghosh

Versus

The State of West Bengal & Ors.

Mr. Debayan Goswami

....for the Petitioner.

Mr. Subir Kumar Saha,
Mr. Kumar Santanu

.....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 Executive Engineer (P.W.D.), Cooch Behar Division, Cooch Behar, dated February 5, 2019 for repair and renovation work of APP's Chamber, Office and other allied works of APP's Building at Cooch Behar under Sub-Division No.I, PWD, Cooch Behar. The petitioner requested for payment of the outstanding dues.

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 to the petitioner.

It appears that administrative approval of Rs.22,16,881/- was accorded under reference in 2019-20. The above noted work was completed as reflected in the communication of the Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar to the Joint Secretary, Government of West Bengal, Judicial Department dated May 23, 2023. The Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar prayed for release of the funds for payment for the work mentioned in the said letter, 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 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 payment of the contractor who had 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 the dues without further wastage of time.

Under such circumstances, the Joint Secretary, Government of West Bengal, Judicial Department shall ensure release of the funds as requested by the Executive Engineer, Cooch Behar Division, Public Works Directorate, Cooch Behar within a period of four weeks from the date of communication of this order, for onward payment to the petitioner. The payment must be made 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.)