

26th February,
2024
(AK)
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W.P.A 1108 of 2024

Dempen Corporation
Vs.
The State of West Bengal and others

Mr. Tanmoy Basu
Mr. S. Halder
Mr. Diganta Bose

...for the petitioner.

Mr. Biswabrata Basu Mallick, Ld. AGP
Ms. Parna Roy Choudhury

...for the State.

1. Learned counsel for the petitioner contends that the petitioner completed work in terms of a work order issued by the respondent authorities.
2. However, when the petitioner produced the completion certificate and his bills, its dues were not paid.
3. On the representation of the petitioner, a reply was given to the petitioner on May 29, 2023 indicating that the allotment had been made erroneously under a different head for which the petitioner's payments were not disbursed.
4. Learned counsel for the State submits that due to certain erroneous allocations, the petitioner's money could not be disbursed.
5. However, the State in principle does not controvert the dues of the petitioner.

6. In view of such fair stand having been taken by the State, the State is required to be directed to pay the amount to the petitioner.
7. It is submitted by learned counsel for the State that two months' time may be given to allocate the necessary funds and disburse the amount in favour of the petitioner.
8. Accordingly, WPA 1108 of 2024 is disposed of by directing the respondents to ensure that the petitioner's dues as pleaded in the writ petition are disbursed in totality within April 30, 2024 positively.
9. In the event such payment is not made within April 30, 2024, the respondents shall pay interest at the rate of 12 percent per annum on the said amount till the date of payment to the petitioner on and from May 1, 2024.
10. There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)