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24.04.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 3912 of 2024

**Nataraj Das
-versus
The Howrah Municipal Corporation & Ors.**

**Ms. Gargi Goswami,
Mr. Sourav Guchhait.
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumder.
...For HMC.**

Affidavit-of-service filed in Court today is taken on record.

The payment of the petitioner on completion of the work in terms of the work order issued in his favour has been held back by the Howrah Municipal Corporation. No reason has been intimated to the petitioner for not releasing the payment.

It has been admitted that part payment was, however, made prior to the execution of the work but after conclusion of the work, balance payment has not been made.

A representation has been made on behalf of the petitioner which is pending consideration at the end of the Commissioner of the Corporation.

Without entering into the merit of the representation and the claim of the petitioner, as it appears that the petitioner's prayer for releasing payment is pending consideration before the Commissioner of the Corporation, accordingly, the Commissioner, Howrah Municipal Corporation or his delegate is directed to decide the said representation in accordance with law, after giving reasonable opportunity of hearing to the petitioner for production documents in support of his claim and by passing a reasoned order at the earliest, but positively within a period of sixteen weeks from the date of communication of this order.

If any amount is found due and payable, the same shall be disbursed in favour of the petitioner immediately thereafter.

Learned advocate appearing for the petitioner is directed to forward a copy of the representation dated 12th May, 2022 along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)