

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

W.P.A 8510 of 2024

**Tajebur Rahaman
-versus
The State of West Bengal & Ors.**

**Mr. Shamim Ul Bari.
Mr. Md. Zeeshanuz Zaman.
... for the Petitioner.**

**Mr. Subir Banerjee.
Mr. Biswajit Nag.
Ms. Dipanwita Das.
... For the respondent no. 7.**

**Mr. Santanu Kumar Mitra. Sr. Govt. Adv.
Ms. Rama Halder.
... for the State.**

The petitioner filed the instant writ petition seeking payment on account of the work performed by him. Today prayer is made by the petitioner only for issuance of completion certificate on account of the work performed. Presently the petitioner does not press the prayer for releasing payment in his favour.

The aforesaid submission is being made by the petitioner only after it has been brought to the knowledge of the Court that the work order in furtherance of the tender was obtained by the petitioner by practicing fraud.

The Panchayat has filed affidavit in opposition to which the petitioner has filed an exception, but did not deny the allegation of fraud that has been leveled against him.

It appears that the petitioner was not at all eligible to participate in the tender process.

As an issue of fraud has been raised by the respondents, accordingly, the prayer sought for by the petitioner cannot be allowed.

The writ petition fails and is hereby dismissed.

It will be open for the respondents to take appropriate steps against the petitioner in accordance with law for practicing fraud in participating in the tender process.

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

(Amrita Sinha, J.)