

IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

Heard on: 08.07.2024

Delivered on: 08.07.2024

CORAM:

The Hon'ble Mr. Chief Justice T. S. Sivagnanam
and
The Hon'ble Mr. Justice Hiranmay Bhattacharyya

M.A.T. of 881 of 2024

The Sub-Divisional Officer, Kalyani & Ors.
Versus
Smt. Samapti Das

with
CAN 1 of 2024

Appearance:-

Mr. Wasim Ahmed
Mr. M. Shetabooddin

.....For the appellant-State

Mr. Debasish Chattopadhyay

.....For the respondents

JUDGMENT

(Judgment of the Court was delivered by T.S. Sivagnanam, C.J.)

1. The issue in the main writ petition is whether the respondent/writ petitioner is entitled for the payment claimed by him for certain works done for the appellant department.

2. The learned Single Bench directed ad hoc payment of Rs. 4 lacs to be made which was subject to the outcome of the writ petition.
3. Since the matter requires affidavits to be filed, the learned Single Bench had directed affidavits to be filed within a week and reply within a week thereafter and directed the matter to be listed in the Monthly List of May, 2024.
4. The respondent/writ petitioner has been paid a sum of Rs. 2,03,003/-. According to the appellant the verification of the bills were done and there were a lot of duplication and the admitted amount is Rs. 2,03,003/-. However, this verification appears to have been done without notice to the appellant. Therefore, for the present, the appellants are not required to make any further payment and the payment of Rs. 2,03,003/- shall be ad hoc subject to result of the writ petition.
5. The affidavit shall be filed within the timeframe fixed by the learned Single Bench and the time should commence from 15th July, 2024.
6. Since the matter is running in the list of the learned Single Bench, appellants are directed to inform the respondent/writ petitioner to attend their office either in person or through the authorized representative for the purpose of verification of all the bills and such verification shall be done in the presence of the writ petitioner or his authorized representative and the outcome of such verification shall also be reported to the learned Single Bench.
7. With the above observation and direction the appeal stands disposed of.
8. There shall be no order as to costs.

9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. Sivagnanam)
Chief Justice

I agree.

(Hiranmay Bhattacharyya, J.)

S. Banerjee/Krishnendu ARs(Ct.)