

21.08.2024
Sl. No.8(DL)
srm

W.P.A. No. 13488 of 2024

Utpal Bhattacharyya

Versus

The State of West Bengal & Ors.

Mr. Kalyan Kumar Chakraborty,
Mr. Gopal Krishan Sarkar,
Mr. Vivek Kumar Pandey

...for the Petitioner.

Mr. Lakshmi Narayan Banerjee

...for the State-respondents.

The petitioner claims to have completed the works of infrastructure & logistic support to the CAPF/SAP to be deployed during the Assembly Election 2021.

The petitioner claims payment for four such works undertaken and completed on the direction of the Executive Engineer, PWD Murshidabad Electrical Division, Berhampore, Murshidabad. Individual completion certificates of the works have been given to the petitioner which have been annexed to the writ petition. According to the petitioner, the total outstanding dues for all the works amount to Rs.93,33,438/- as per prayer (a) of the writ petition.

The writ petition is disposed of with a direction upon the Executive Engineer, PWD Murshidabad Electrical Division,

Berhampore, Murshidabad to make the payment as admissible to the petitioner, within a period of three months.

The fund sanctioning authority, i.e., Department of Home and Hill Affairs shall release the demand of the PWD within a month from the authority raising such demand, so that the payment can be made to the petitioner.

If the funds have to be sanctioned by some other authority, the Executive Engineer, PWD, Murshidabad Electrical Division, Berhampore, Murshidabad, shall raise the demand and the fund sanctioning authority shall release the fund.

It is made clear that once the completion certificate has been issued to the petitioner, the petitioner cannot be made to wait for an unlimited period of time to receive the payment for the work he has completed, in the assessment of the authority.

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.)