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27.03.2024  
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IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A. No. 13161 of 2023

Hiran Kumar Das  
Vs.  
The State of West Bengal & Ors.

Mr. Robiul Islam,  
Mr. M. Rahaman  
... for the petitioner

Mr. Amal Kumar Sen,  
Mr. Tapas Kumar Ray,  
Mr. Indranil Roy  
...for the State

1. A report was directed to be filed by the respondent-authorities. Accordingly, a report had been filed on the last occasion and a brief clarification on the said report is filed today, which is kept on record. A copy thereof is served on the learned advocate for the petitioner.
2. It transpires from the report filed on the previous date of hearing and today's brief report that the total amount admitted by the respondents to be payable to the petitioner is Rs.7,18,575/-.
3. Learned counsel for the petitioner submits that the said amount does not tally with Annexure-A to the report filed on the previous occasion, which is a requisition by the Sub-divisional Officer, Domkal,

Murshidabad to the Additional District Magistrate (Dev), Murshidabad, dated February 20, 2023.

4. However, the respondents cannot be bound by a particular single annexure to the report in isolation, which is in contradiction with the amount which has been specifically admitted in the report itself and signed by the Sub-Divisional Officer concerned. That apart, certain other documents are also annexed to the primary report, which have also been relied on by the respondents.

5. Be that as it may, since apart from the admitted amount, the rest of the claim of the petitioner is squarely disputed by the respondents on various factual aspects, the writ court ought not and cannot enter into a meticulous assessment of the said claims upon taking full-fledged evidence, which falls within the domain of a competent civil court.

6. Accordingly, W.P.A. No. 13161 of 2023 is disposed of by directing the respondents to pay to the petitioner, within four weeks from date, the admitted dues of Rs.7,18,575/-.

7. The petitioner shall, however, be at liberty to ask for the balance claim, if any, by way of a proper civil suit instituted before a competent civil Court.

8. If so approached, the civil court shall decide the matter in accordance with law and on its own

merits without being influenced in any manner by any of the observations made herein.

9. There will be no order as to costs.

10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)