

24.07.2024
Sl. No.5
Ct.No.15
SA

WPA 15653 of 2024

**Tirupati Enterprise and Anr.
Vs.
The Bidhannagar Municipal Corporation and
Ors.**

Ms. Sanghamitra Nandy
..for the petitioners

Mr. Sirsanya Bandopadhyay
Mr. Arka Kumar Nag
Mr. Tirthankar Dey
..for the BMC

It is the grievance of the petitioners that a work order was issued in their favour for “New construction of first floor at EC Market within Ward No.40 under Bidhannagar Municipal Corporation”. The value of the work order was Rs.23,01,308.30/-.

It is the grievance of the petitioners that though they had successfully completed the work within the stipulated period, a sum of Rs.25,95,776/- is yet to be paid.

The Corporation contests the claim of the petitioners. The Corporation suggests that the completion certificate has not been issued in favour of the petitioners which goes to suggest that there are some disputes with regard to the execution of the work order.

Without going into such disputes, I dispose of this writ petition giving a direction upon the Commissioner, Bidhannagar Municipal Corporation to consider the representation of the petitioners dated December 20, 2023, in accordance with law upon granting an opportunity of hearing to the petitioners. If the Commissioner finds that the petitioners executed the work order to the satisfaction of the Corporation, he shall release the dues of the petitioners within a period of one month from the date of communication of this order. If the Commissioner is of the view that the petitioners could not execute the work order or there are other reasons for which the amount claimed by the petitioners should not be paid, the Commissioner shall pass a reasoned order and communicate the same to the petitioners forthwith.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

Accordingly, **WPA 15653 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)