

24.07.2024
Sl. No.9
Ct.No.15
SA

WPA 16403 of 2024

**Shuvro 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 “Upgradation (Construction) of Concrete Road of Subhas Pally Area ; Total Length 1965.00M, Uttar Math Netaji Nagar Area, Nilachal Area, Upgradation of Bituminious Road From 30C Bus Stand to Pragati Sangha, Rabi Builders to Children Park, Hatabattala Mandir to New Market, Sambhu Das to end of Ward No. 14 in Ward No.14 under Bidhannagar Municipal Corporation”. The value of the work order was Rs.4,80,94,250/-. The petitioner was, however, asked to execute a work of Rs.37,00,000/- only.

It is the grievance of the petitioners that though they had successfully completed the work within the stipulated period, a sum of Rs.36,71,808/- remained unpaid.

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 January 31, 2024, 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 to 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 16403 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.)