

September 24, 2024
Sl. No.5
Court No.9
s.biswas

WPA 23959 of 2024

Bhaskar Chakraborty
vs.
The State of West Bengal and others

Mr. Srijib Chakraborty
Mr. Aditya Mondal
Ms. Rupsa Sreemani

... for the petitioner

Mr. Lalit Mohan Mahata, AGP
Mr. Ziaul Haque

... for the State

1. The petitioner prays for a direction upon the respondents to release payments for execution of electrical works in 34 premises arising out of 33 contracts which had been undertaken by the petitioner in 2021, during the assembly election. The work orders were issued by the Executive Engineer, Public Works Department, North 24 Parganas Electrical Division.
2. The petitioner submits that Rs.1,10,30,054/- was still due and payable. It appears that part payment had been made. The completion certificates have been referred to, indicating completion of the work.
3. Under such circumstances, the writ petition is disposed of with direction upon the Executive Engineer, Public Works Department, North 24 Parganas Electrical Division to treat the writ petition as representation of the petitioner and

decide whether full payment as claimed by the petitioner in respect of all 33 contracts can be released or not. Reference shall be made to the completion certificates which have been issued in favour of the petitioner.

4. If the authority is satisfied that the work was completed as required, money shall be released in favour of the petitioner as per the petitioner's claim or as the authority deems fit and proper. If any other department of the government is required to release the fund for such payment, the authority shall immediately make such requisition. The fund shall be released for payment to the petitioner. If the authority finds that the petitioner's work is incomplete, then necessary order shall be passed either denying the entire remaining claim or part of the claim as the authority deems fit and proper with proper reasons.
5. The entire exercise shall be completed within a period of four months from the date of communication of this order.
6. Accordingly, the writ petition is disposed of.
7. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)

