

13.11.2024
Item No.15
RP
Ct. No.01

MAT 1932 of 2024
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IA No.CAN 1 of 2024
Sinchan Traders
Vs.
State of West Bengal & Ors.

Mr. Tulshidas Ray
Mr. Tirthankar Ray
....for Appellant

Mr. Baidurya Ghosal
Mr. Saikat Mukherjee
Ms. Anupama Biswas
....for Respondent Nos.4 and 5

Ms. Jhuma Chakraborty
Mr. S. Adak
....for State

1. This intra-Court appeal by the writ petitioner is directed against the order dated 4th September, 2024. In the said writ petition the appellant sought for direction against the respondent nos.4 and 5, namely, Bangiya Gramin Vikash Bank, to disburse the amount payable to the appellant/writ petitioner for supply of agricultural equipment to the 6th respondent, namely, Julekha Khatun, wife of Abdul Kalam Mondal. The appellant is aggrieved by the order passed by the learned Single Bench wherein it has been observed as if the appellant is entitled to subsidy whereas the claim of the appellant is for equipment supplied to the private respondent on the direction issued by the respondent bank and it is for the private respondent to get subsidy and stopped

the appellant from claiming its money payable for the goods supplied.

2. We dispose of the appeal by directing the appellant to submit all vouchers sought to have been signed by the private respondent and acknowledging receipt of the machinery along with bills, invoices etc. and enclose the same along with copy of this order and submit a representation to the respondent nos.4 and 5, namely, the bank within one week from the date of receipt of the server copy of this order. The respondent bank shall verify the invoices, call the appellant/writ petitioner in person and also send notice to the private respondent and hear them and thereafter take a decision with regard to the claim made by the appellant within a period of three weeks from the date on which the personal hearing is concluded.
3. With the aforesaid direction, this appeal and the connected application are disposed of.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)