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26.02.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 24767 of 2023

**Aloke Pal
-versus
The State of West Bengal & Ors.**

**Mr. Sayan Sinha,
Mr. Adil Naser,
Mr. Nilanjan Bhattacharya,
Mr. Soham Kumar.
...For the Petitioner.**

**Mr. Santanu Kumar Mitra,
Mr. Amartya Pal.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

None represents the Panchayat Samity.

In response to a notice inviting tender for construction of boundary wall, the petitioner participated in the tender process.

Being successful in the process of tender, work order was issued in his favour and the awarded amount was Rs.7,61,713/-.

A completion certificate has been issued by the Executive Officer of the Panchayat Samity. However, the amount indicated in the said certificate appears to be incorrect.

The petitioner submitted a written representation seeking payment of the awarded amount.

In response to the same the Executive Officer of the Panchayat Samity sought for the funds from the Additional Executive Officer of the Zilla Parishad but it appears that the amount quoted in the said representation is again incorrect.

The petitioner prays for a direction upon the Panchayat Samity for disbursing his claim.

As it appears that the claim of the petitioner is pending consideration at the end of the respondent authority, accordingly, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly, disposed of by directing the respondent no. 5, the Additional Executive Officer, Birbhum Zilla Parishad to take into consideration the bill of the petitioner seeking release of the fund in respect of the work completed by him.

Be it recorded that the awarded amount is Rs.7,61,713/- only.

The aforesaid officer shall consult the records of the Executive Officer, Mayureswar-II Panchayat Samity to verify the claim of the petitioner.

Steps shall be taken in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

If the claim of the petitioner is found to be genuine, steps shall be taken for disbursal of the same immediately.

Instruction forwarded by the Executive Engineer, PHE be retained with the records.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)