

AD-14
Ct No.09
02.01.2024
TN

WPA No. 26619 of 2023

Indranil Bhattacharya
Vs.
The State of West Bengal and others

Mr. Satrajit Sinha Roy
.... for the petitioner

Mr. Amal Kr. Sen, Ld. AGP,
Mr. Lal Mohan Basu
.... for the State

- 1.** Learned counsel for the petitioner contends that the petitioner provided scavenging and security services to several hospitals of the District Burdwan, since sub-divided into the Districts of Purba Bardhaman and Paschim Bardhaman.
- 2.** Despite several reminders and internal communications between the concerned Chief Medical Officers of Health of the relevant Districts, the security deposit for such work has not been refunded to the petitioner. It is submitted that the petitioner has otherwise been reimbursed regarding the dues in respect of the work done by him.
- 3.** Learned counsel for the State submits his inability to enlighten the court further than his stand taken on December 12, 2023. Apparently

the efforts by learned counsel for the State to seek instructions on such score have not been reciprocated by his client.

4. Be that as it may, in the absence of any controversy being raised by the State with regard to the amounts claimed as security deposit by the petitioner and on the basis of the annexures to the present writ petition, it is evident that the petitioner is entitled to refund of security deposit to the tune of Rs. 8,68,500/- as reflected at page-17 of the present writ petition as well as Rs. 4,40,500/- as reflected at page-23 (read with page-22) of the writ petition, apart from Rs.1,00,000/- as reflected in the annexure at page-21 of the writ petition.
5. In such view of the matter, WPA No. 26619 of 2023 is disposed of by directing the respondent no.2 to ensure that the funds are disbursed to the respondent nos.5 and 6, that is, the Chief Medical Officers of Health of the Districts of Purba Bardhaman and Paschim Bardhaman respectively, for refund of the security deposit to the tune of Rs.8,68,500/- plus Rs.1,00,000/- plus Rs.4,40,500/- to the petitioner at the earliest.

6. Such said funds shall be made available to the respondent nos.5 and 6 within one month from date. The refunds of security deposits shall be made to the petitioner within a fortnight thereafter by respondent nos. 5 and 6 positively.
7. There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)