

Item No.37
30.09.2024
Court. No. 9
GB

W.P.A. 26739 of 2023

Haldia Development Construction
Represented by Pabitra Kumar Nanda
Vs.
The State of West Bengal & Ors.

Mr. Debabrata Saha Roy,
Mr. Debabrata Chakraborty,
Mr. Subhankar Das,
Mr. Neil Basu,
Mr. S. Biswas

...for the Petitioner.

Mr. Maloy Singh,
Mr. Tapas Ballav Mandal

...for the State.

Mr. Sk. Rejaul Alam

...for the Respondent Nos.2 & 3.

1. Affidavit-of-service filed in Court today, is taken on record.
2. Despite service on several occasions, the respondent nos.4 to 7 are not before this Court.
3. The petitioner submits that the petitioner did certain works for the respondents and bills were raised. Although a substantial amount of the dues have already been paid, an amount of Rs.1,36,52,716/- is still payable. The total amount due, comes to Rs.1,56,46,192/-.
4. The learned advocate for the Haldia Development Authority submits that the entire money payable to be petitioner was disbursed to the respondent no.4 for onward payment to the petitioner, but the respondent no.4 neither appears before this Court nor controverts such allegation.

5. Under such circumstances, the writ petition is disposed of with a direction upon the respondent nos.4 to 7 to pay the amount due, which according to the Haldia Development Authority is admissible and payable and had been released for onward payment. Payment should be made within December 31, 2024.
6. In case of failure to pay the same within the aforementioned period, an additional interest of 6% per annum shall be paid to the petitioner for each day's delay, till the payment is actually made.
7. Accordingly, the writ petition is disposed of.
8. Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)