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27.02.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 27834 of 2023

Pratima Paul
Vs.
State of West Bengal & Ors.

Mr. Pingal Bhattacharyya
...for the petitioner

1. Despite service, none appears for the respondent-authorities.
2. Affidavit of service filed today be kept on record.
3. The petitioner contends that the petitioner supplied fuel for vehicles during the Assembly Elections, 2021 to the respondent-authorities.
4. Upon the petitioner having raised bills, an amount of Rs.3,92,200/- was disbursed in favour of the petitioner. However, in terms of the bills of the petitioner, Rs.8,70,047/- still remains due.
5. It transpires from the averments in the writ petition, which are not controverted since none appears for the respondent-authorities at the time of call despite service, that at no point of time did the respondents raise any objection to the claims of the petitioner in terms of the bills.
6. Hence, there cannot be any justifiable reason why the rest of the payments should be withheld.

7. In the light of the above observations, W.P.A. No. 27834 of 2023 is disposed of by directing the respondent no. 2, who ensure that the necessary funds for disbursal of the amount of Rs.8,70,074/- to the petitioner is provided to the respondent no. 4 within one month from the date of communication of this order to the respondent no. 2.

8. Within a fortnight thereafter, the respondent no. 4, that is, the Block Development Officer, Moina Development Block, shall make the payment of Rs.8,70,074/- in favour of the petitioner.

9. In the event the respondents fail to make such payment to the petitioner in terms of the above order, interest shall accrue on the payable amount on and from the first day after the expiry of the scheduled time at the rate of twelve percent per annum till the date of payment to the petitioner.

10. There will be no order as to costs.

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

Sabyasachi Bhattacharyya, J.