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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA/198/2024

M/s. Monoranjan Roy & Co.
VS
The State of West Bengal & Ors.

Mr. Subinay Dey
Mr. Debanjan Dey
...for the petitioner

Mr. Ratan Banik
Mr. Bishwaraj Agarwal
..For CGST

Mr. Momenur Rahman
Mr. Bikash Singha
... for the State.

Mr. Bikramaditya Ghosh
Ms. Supriya Singh
Mr. Rajan Raj
... for the respondent no. 6.

The petitioner performed certain work in response to the work order issued by the Alipurduar Zilla Parishad.

The grievance of the petitioner is that payment has not been made till date despite completion certificate issued by the Executive Officer of the Alipurduar-1 Panchayat Samity.

A representation has been filed by the petitioner seeking disbursement of his payment. The same is pending consideration at the end of the Executive Officer of the Panchayat Samity.

It has been submitted that as per the tender document the work order was to be issued after receiving funds from the concerned authority. The same implies that the fund for making the payment is already available with the authority and the authority ought not to delay in disbursing the same in favour of the petitioner.

Without entering into the merits of the claim of the petitioner, the instant writ petition is disposed of by directing the respondent no. 7 being the Executive Officer, Alipurduar-1 Panchayat Samity to take a decision with regard to the prayer of the petitioner seeking payment of bills against the work performed. An opportunity of hearing shall be granted by the aforesaid officer to the petitioner for production of documents in support of its claim for receiving payment. If any payment is found due and payable, the same shall be disbursed in favour of the petitioner at the earliest.

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

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.)