

12.08.2024
Sl.02
Ct. No.2
Suman

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

WPA 1406 of 2024

**Sri Bijendra Kapur @ Kapoor
-Versus-
The State of West Bengal and Ors.**

Mr. Kunaljit Bhattacharjee
Mr. Sandeep Dutta
Mr. Alok Sah
..for the petitioner

Mr. Momenur Rahman
Ms. Bedashruti Bose
..for the State

It is the grievance of the petitioner that he was a successful bidder in a tender process for supply of breakfast/lunch/dinner for all categories of Covid workers engaged in Covid hospitals and patients under Darjeeling district for the period from July 2020 to November, 2021.

The petitioner alleges that although he has executed the work orders successfully, but till date no payment has been made to him by the State.

Learned advocate appearing for the petitioner has drawn attention of this Court to a certificate dated April 4, 2022 whereby an Assistant Chief Medical Officer of Health, Darjeeling certified that the petitioner has completed the supply work entrusted upon him to the satisfaction of the relevant authorities.

A Co-ordinate Bench of this Court on July 31, 2024, asked the State to file a report within a period of fortnight from that date.

Today, however, it has been submitted by the State that the prayer of the petitioner may be considered by the competent authority in accordance with law.

Learned advocate appearing for the petitioner submits that the State may be directed to consider the representation of the petitioner dated June 3, 2024 at page 117 of this writ petition.

In view of the aforesaid, I dispose of the writ petition with a direction upon the Chief Medical Officer of Health, Darjeeling to consider the said representation and release the legitimate dues of the petitioner in accordance with law within a period of three months from the date of communication of this order.

Respondent no.3 shall afford an opportunity of hearing to the petitioner in considering the representation.

Accordingly, **WPA 1406 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)