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11.11.2024
Srimanta

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side
WPA 2273 of 2024
Md. Sahanur Alam
versus
The State of West Bengal & Ors.**

Mr. Gopal Sah,
Mr. Tanbir Alam
... for the petitioner.

Mr. Hirak Barman,
Mr. Pradip Sarkar
....for State respondents.

The petitioner participated in a tender floated on 30th January, 2021 by Indong Matiali Gram Panchayat for construction of concrete drain from the house of Kusboo Oraon to the house of Kumi Majhi hereinafter referred to the said contract. The petitioner being the successful bidder was issued three work orders for the said contract. The petitioner says that the work has been completed and subsequent thereto the concerned Gram Panchayat has issued bill form to the petitioner which are annexed to the writ petition. The petitioner says that despite time have elapsed in between the issuance of the bill form and the filing of the writ petition but the representation made in between for release of the petitioner's dues has not been adhered to by the concerned Panchayat.

At this stage, without going into any further enquiry the District Magistrate, Jalpaiguri is directed to look into the claims made by the petitioner against the

work orders issued to it. The District Magistrate, Jalpaiguri should dispose of the petitioner's representation dated 29th July, 2024 appearing at page 21 of the writ petition by a reasoned order after giving the petitioner a reasonable opportunity of hearing. The reasoned order should be passed within a period of eight weeks from date of communication of this order and after affording the petitioner an opportunity of hearing, if so necessary. The reasoned order should be communicated to the petitioner immediately after passing of the same.

I make it clear that I have not gone into the merits of the claim as also the limitations aspect of the petitioner's claim and the District Magistrate, Jalpaiguri shall be free to decide on all issues including the limitations aspect of the petitioner's claim.

Nothing further remains to be adjudicated in this writ petition. The writ petition is, accordingly, disposed of.

Since I have not called for any affidavit the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

All parties including the District Magistrate, Jalpaiguri shall act on a server copy of this order without insisting upon production of a certified copy thereof.

(Arindam Mukherjee, J.)