

20.03.2025
Sl. No. 13.
D/L.
Mithun
Ct.No.39.

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

WPA 244 of 2024

Ashis Chakraborty

Vs.

The State of West Bengal & Ors.

Mr. Partha Pratim Roy,
Mr. Sarbananda Sanyal

...for the petitioner

Md. Mansoor Alam

...for the State-respondents

Affidavit-of-service filed on behalf of the petitioner
is taken on record.

This writ petition has been filed for consideration
of the representation of the petitioner dated 31st August,
2023 for release of the remaining bill amount of the
petitioner to the tune of Rs.31,77,814/- by respondent
no.4, Executive Engineer, Basirhat Division, North 24
Parganas Zilla Parishad.

The petitioner contends that a e-Tender notice was
floated by the Additional Executive Officer, North 24-
Parganas Zilla Parishad, wherein he was the successful
bidder in respect of the work under serial no.1-
*“Strengthening and widening of Road from Kulti bazaar to
Ghoshpara via Tarapada Sardar house to the pucca Road
beside Kulti GP under Haroa Block”*. The work order was
issued in his favour on 5th February, 2018. The work
was duly completed successfully by the petitioner. The

total amount of the bill was 1,03,16,367/-. The petitioner received an amount of Rs.71,38,553/-. On 31st August, 2023, the petitioner made a representation before respondent no.4, Executive Engineer, West Bengal State Rural Development Agency, Basirhat Division, North 24 Parganas Zilla Parishad, Barasat for release of the remaining amount. However, such representation has not been considered as yet.

Despite service, none appears on behalf of the Executive Engineer, Basirhat Division, North 24 Parganas.

Mr. Partha Pratim Roy, learned Advocate for the petitioner submits that a direction be issued upon respondent no.4, the Executive Engineer, West Bengal State Rural Development Agency, Basirhat Division, Basirhat, North 24 Parganas Zilla Parishad, Barasat to consider the representation of the petitioner dated 31st August, 2023.

None appears on behalf of the State-respondents.

Md. Mansoor Alam, learned Advocate, who usually appears on behalf of the State, is requested to appear in this matter. Let the appointment of Md. Mansoor Alam be regularized by the concerned authority.

Md. Mansoor Alam, learned Advocate also submits that the matter be relegated for consideration by respondent no.4, Executive Engineer, West Bengal State Rural Development Agency, Basirhat Division, Basirhat, North 24 Parganas Zilla Parishad, Barasat.

Considering the above submissions, the respondent no.4, Executive Engineer, West Bengal State Rural Development Agency Basirhat Division, Basirhat, North 24 Parganas Zilla Parishad, Barasat is directed to consider the representation of the petitioner dated 31st August, 2023 and dispose of the same upon hearing the petitioner and other necessary parties by passing a reasoned order in accordance with law within a period of four weeks from the date of communication of this order.

The reasoned order shall be communicated to the petitioner within a period of one week of passing of the order.

Learned Advocate for the petitioner is directed to communicate this order to respondent no.4, Executive Engineer, West Bengal State Rural Development Agency Basirhat Division, Basirhat, North 24 Parganas Zilla Parishad, Barasat along with a copy of the representation dated 31st August, 2023.

It is made clear that this Court has not gone into the merits of this writ petition.

Since affidavits have not been called for, the allegations made in the writ petition are deemed to be not admitted.

With the above observation, the writ petition being **WPA 244 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Bivas Pattanayak, J.)