

17.11.2025.
37
Ct.No.24.
as

WPA 1628 of 2025

Hare Krishna Das
Vs.
State of West Bengal & Ors.

Md. Masudur Rahaman Paik,
Ms. Ahamina Wasim.
...for the Petitioner.

Mr. Sangeeta Roy,
Mr. Rakesh Singh.
...for the State.

1. The petitioner, a successful tenderer under the Pradhan Mantri Gram Sadak Yojana (for short PMGSY). For such purpose, an agreement was duly executed by and between the parties. The petitioner's contract was terminated on June 27, 2019. The petitioner was denied payment of the works, which he had done, which grievance was carried by the petitioner to this Hon'ble Court by way of a writ petition. The writ petition was disposed of by directing the respondent authorities to make the outstanding payments of the work done, to the petitioner.

2. In spite of such order, the respondents, on an alleged assessment, came to the conclusion that a sum in excess of the petitioner's claim was due and payable by the petitioner to the respondents. In fact, the respondents had a demand in excess of Rs.3 lakhs on that ground.

3. The petitioner has prayed for a limited relief, inasmuch as, the petitioner is entitled under Clause 24.1 of the Dispute Redressal System provided for in the contract to

have his representation or his grievance addressed by a competent authority within a stipulated time. Towards such purpose, his representation of June 14, 2024 has not yet been disposed of. The petitioner seeks that the representation of June 14, 2024 be disposed of by the competent authority in terms of Clause 24.1 of the contract.

4. It is clear that the Dispute Redressal System provided for in the contract binds the parties and hence, the competent authority was duty bound to dispose of the petitioner's grievance as spelt out in the representation of June 14, 2024. Not having done so, the competent authority is in violation of the contractual terms.

5. In view of the aforestated, the respondent No.3 is directed to dispose of the grievance of the petitioner as indicated in the representation of June 14, 2024 within a period of four weeks from date. The order should be duly communicated to the petitioner within a week thereafter.

6. With the aforestated direction, the writ petition is disposed of.

7. There shall be no order as to costs.

8. Since affidavits have not been called for, allegations contained in the petition are deemed to have been denied.

9. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)