

10.11.2025
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WPA 1641 of 2025

B. B. Enterprise
Vs.
The State of West Bengal & Ors.

Mr. Sattwik Bhattacharyya
Mr. Aashutosh Bhattacharyya
Ms. Titas Niyogi
Mr. Aritra Roy
.... for the petitioner

Mr. Samrat Sen
Mr. Niloptpal Chatterjee
Mr. Amrita Lal Chatterjee
..... for the State

Mr. Falguni Majhi
..... for the respondents
No. 4,5 & 6

1. Let affidavit-of-service as filed in Court be kept on record.
2. The petitioner, a successful tenderer, under the Burdwan Development Authority, has completed the work and final payment in this respect has also been made.
3. These facts are not in dispute.
4. The petitioner claims the differential amount, that has arisen upon promulgation of the GST, sometime in the year, 2017. For such purpose, the petitioner had also made a representation on 3rd October, 2023 to various persons including the Chief Executive Officer of Burdwan Development Authority.

5. During the course of hearing, I was informed by Mr. Majhi, learned Advocate appearing for the respondents no. 4,5 & 6 that such representation had been disposed of by the Chief Executive Officer and Finance Officer of the Burdwan Development Authority for which purpose a sheet was handed over to this Court. The said consideration is undated.
6. However, it is not in dispute that no hearing was given to the petitioner at the relevant point of time before passing any order. The Chief Executive Officer, Burdwan Development Authority, is directed to consider the representation of 3rd October, 2023, upon given a hearing to the petitioner with adequate prior notice. Let the hearing be conducted within a period of three weeks from date, positively by November 30, 2025, and a reasoned order be passed within a period of two weeks thereafter which shall be duly communicated to the petitioner.
7. The instant writ petition is, thus, disposed of with the aforestated directions.
8. There shall, however, be no order as to costs.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)