

237 **14.11.**
2025

Ct. No.
551

Ab

WPA 2390 of 2025

Reshmi Metaliks Limited
Vs.
Bongaon Municipality and others.

Mr. Prashant Kumar Singh,
Mr. Prattay Kumar Khan,
Mr. Somdev Ash.

... for the petitioner.

Mr. Sayan Sinha.

... for the respondent no. 1 & 2.

1. The affidavit of service filed in Court today is taken on record.
2. The petitioner alleges arbitrary action on the part of the respondent-Bongaon Municipality in withholding a sum of Rs. 63,52,330/- lying with the said Municipality as security deposit.
3. It is submitted that such amount had been deposited by the petitioner while executing work pursuant to a work order dated July 14, 2016 and that although the petitioner is entitled to the said sum, since the petitioner has completed the work, yet, Bongaon Municipality has not released the same. It is further submitted that the petitioner has made several representations before the said Municipality, last of which was made on January 10, 2025, but none has been considered by the said Municipality as yet.
4. Learned Advocate appearing on behalf of the respondent-Boagaon Municipality refutes the contention of the petitioner and submits that the petitioner had not completed the work in terms of the work order as alleged. It is also submitted that, in any case, the claim of the petitioner is barred by limitation.
5. Having heard the learned Advocates appearing for

the respective parties and having considered the material on record, this Court is of the view that since the petitioner's entitlement to the amounts claimed by it is disputed and since representation has also been made by the petitioner before the respondent-Bongaon Municipality by the petitioner, the said authority should consider the said representation and dispose of the same in accordance with law.

6. Accordingly, the respondent no. 2 i.e. Board of Councillors, Bongaon Municipality, is directed to take a decision on the petitioner's representation dated January 10, 2025 (Annexure 'P16' at pages 238 to 247 of the writ petition) within a period of six weeks from the date of communication of this order, strictly in accordance with law.
7. It is clarified that this Court has not gone into the merits of the case and all points are left open to be decided by the respondent no. 2 in accordance with law. It is further clarified that this order directing consideration of the petitioner's representation shall not be treated as a mandate to pay any sum to the petitioner or a passport to cross-over any bar of limitation that may be there.
8. WPA 2390 of 2025 stands disposed of on above terms.

(Om Narayan Rai, J.)

