

18.07.2025
15
Ct.No.7
sdas

WPA 2503 of 2022

Sandeep Karak
Vs.
The Chief Electoral Officer & Ors.

Mr. Biswarup Biswas
Mr. Kamal Mishra
Mr. Pratap Sanpui
.....for the petitioner

Mr. Sk. Md. Galib, Sr. Govt. Adv.
Mr. Manish Biswas
..... for the State

Mr. Anuran Samanta
..... for the respondent no. 1

The present writ petition has been preferred seeking an appropriate order, direction, or writ, especially in the nature of mandamus, commanding the concerned respondents to release the amount due to the petitioner for his services rendered as a vendor of data entry work related to the Summary Revision of Electoral Roll (hereinafter referred to as 'SRER') in the office of the Sub Divisional Officer, Kharagpur, for the years 2010-19, as well as for the preparation of Electoral Photo Identity Cards (hereinafter referred to as 'EPIC') of SRER.

Mr. Biswas, learned Advocate appearing for the petitioner, submits that the petitioner, having experience and expertise in data entry work, was engaged as a vendor for the data entry work of 'SRER' in the office of the Sub

Divisional Officer, Kharagpur, for the years 2010-19, as well as for the preparation of 'EPIC Cards'.

He further submits that after the successful completion of the work assigned to the petitioner, the petitioner raised a bill for Rs. 11,82,400/-, out of which an amount of Rs. 3,64,805/- has been paid to him in three equal installments. However, the balance amount has not been paid and has been withheld without assigning any reason to the petitioner. The petitioner approached the authority by submitting several representations, but those representations failed to elicit any favorable response from the concerned respondents, which prompted the petitioner to prefer the present writ petition. He prays for a direction upon the respondents to pay the balance amount due to the petitioner.

Mr. Galib, learned Senior Government Advocate appearing for the State, produces certain documents and draws my attention to a bill submitted by the petitioner. He submits that, along with the balance amount, the petitioner has claimed an additional amount of Rs. 92,436/-. He further submits that there is no justification for the claim of such additional amount.

Mr. Samanta, learned Advocate has entered appearance on behalf of the Respondent No.1.

In reply, Mr. Biswas, learned Advocate appearing for the petitioner, submits that the respondents may be directed to release the balance amount being Rs.8,17,595/-.

Heard the learned Advocates appearing for the respective parties and perused the materials on record.

The record reveals that the petitioner, having experience as a vendor of data entry work, was assigned certain data entry tasks related to the 'SRER' in the office of the Sub Divisional Officer, Kharagpur, for the years 2010-19. He was also entrusted with the preparation of 'EPIC Cards' for the 'SRER'. There is no allegation that the petitioner failed to complete the assigned work. In fact, acknowledging that the petitioner completed the work satisfactorily and without any blemish, the respondents released an amount of Rs. 3,64,805/- to him in three equal installments.

However, the balance amount has not been paid and has been withheld without assigning any reason to the petitioner. The petitioner made several representations to the concerned respondents. Despite receipt of these representations, no effective action has been taken. The respondents cannot remain inactive indefinitely, nor can they withhold the amount without any justification. The documents produced by Mr. Galib indicate that the work assigned to the petitioner was completed within the stipulated time.

Therefore, the writ petition is disposed of by directing the respondent no.2 to consider the petitioner's representation dated 22nd September, 2020 and to take

decision thereon after affording an opportunity of hearing to the petitioner.

If the respondent No.2 finds that the petitioner's claim deserves acceptance, next follow up action shall be taken. This shall include release of amount being Rs.8,17,595/-. If the respondent No.2 comes to a conclusion that the petitioner's claim is without any substance and/or basis, a reasoned order shall be passed and the same shall be communicated to the petitioner.

The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.

With these observations, the writ petition is, thus, disposed of.

There will be no order as to costs.

(Partha Sarathi Chatterjee, J.)