

02.09.2025
Item No.105
Court No.551.
AB

W. P. A. 3747 of 2025

**M/s. Durgamata Seeds Farm
Vs
The State of West Bengal & Others**

Mr. Kazi Sajjad Alam,
Ms. Afsana Khatun,
Mr. Mainul Thander ...for the Petitioner.

Sk. Md. Galib,
Ms. Priyamvada Singhfor the State.

1. Affidavit of service filed in Court today be kept with the record.
2. The petitioner has approached this Court complaining that the petitioner's payments in respect of potato and paddy seeds supplied by the petitioner to West Bengal State Seed Corporation Limited (hereafter "Respondent Corporation") have been withheld.
3. It is submitted that despite several representations being made by the petitioner, the Respondent Corporation has not taken any step for releasing the withheld payments in favour of the petitioner. However none of the representations annexed to the writ petition (except Annexure P5 at page 32) appears to have been served on the respondent. At least there is no evidence of service before the Court.
4. Be that as it may, having regard to the nature of the claim (which in fact is a money claim) made

by the writ petitioner, it would not be proper for this Court to enter into the merits of the petitioner's case, as the same may involve disputed questions of fact.

5. This writ petition is, therefore, disposed of without granting any relief as prayed for. The writ petitioner will, however, be at liberty to approach the Respondent Corporation by way of an appropriate representation seeking redressal of its grievances as regards the payments allegedly due to it. In case such representation is made, the respondent no.3 shall dispose of the same by way of a reasoned order within six weeks from the date of making of such representation, strictly in accordance with law.
6. It is made clear that this order should not be treated as a mandate for making any payment to the petitioner or as a passport to bypass any statutory bar including a bar of limitation that might come in the way of entertaining or allowing the petitioner's claims.
7. WPA 3747 of 2025 stands disposed of.
8. Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after compliance with all the necessary formalities.

(Om Narayan Rai, J.)