

14.07.2025
Sl. No.13
Ct.3/ tkm

W.P.A. 7421 of 2023
CAN 1 of 2025
[Dhansukh Raj Bothra Vs. State of West Bengal & Ors.]

Syed Nurul Arefin
Mr. Sanju Aarwal
Mr. Amit Shugla
... .. for the petitioner

Mr. Gautam Lahiri
... .. for Serampore municipality

Mr. Srijan Nayak
Ms. Rituparna Maitra
... .. for the State

Re : CAN 1 of 2025

1. CAN 1 of 2025 is treaded as listed today.
2. The present application being CAN 1 of 2025 is filed seeking restoration of the writ petition which was dismissed for default on 18.3.2025.
3. Learned counsel for the respondent states that they have no objection if the matter is restored.
4. In view of the forgoing reasons stated in the application and the consent given by the respondent, the order dated 18.3.2025 is recalled and the present writ petition is restored to its original file and number.
5. CAN 1 of 2025 is allowed.

Re : WPA 7421 of 2023

6. With the consent of the parties, the present writ petition is taken up for hearing.

7. The petitioner, in the present writ petition, is aggrieved by the inaction of the respondent in failing to release the outstanding payment due to him for the successful completion of the work awarded under the contract no. WBMAP/ULB/SRMP/NIT-29 dated 5.3.2019.
8. Learned counsel for the petitioner submits that the petitioner duly completed the work assigned to him and, thereafter, submitted all bills amounting to Rs. 81,07,339/- and 59,31,482/- respectively. Despite the lapse of a considerable period of time, the respondents have not cleared the outstanding payments of the petitioner.
9. Petitioner submits that the petitioner had made several representations to the authorities, including the one dated 20.12.2022, however, no response has been received till date.
10. Learned counsel for the respondent corporation submits that the authorities are ready and willing to decide petitioner's representation dated 20.12.2022.
11. Learned counsel for the petitioner submits that the petitioner shall be satisfied if the same is decided within a time bound manner.
12. In view of the said statements, this court directs the Chairman, respondent no. 2 to decide

petitioner's representation dated 20.12.2022 within 12 weeks from the date communication of this order, strictly in accordance with law, after giving an opportunity of personal hearing to the petitioner, by way of speaking order.

13. With the above direction, the present writ petition is disposed of.

14. Since no affidavit is called for, allegations made in the petition are deemed to have been denied.

(Gaurang Kanth, J.)