

15-07-2025
Item No.9
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.8657 of 2023

Bablu Hoque Munsi

-vs-

The State of West Bengal & Ors.

Mr. Shiladitya Barma
Ms. Priyanka Ghosh ...for the petitioner

Mr. Nilotpal Chatterjee
Mr. Amrita Lal Chatterjee ...for the State

1. The petitioner claims to have performed certain works pursuant to a contract entered in between the Dakshin Dinajpur Zilla Parishad and the petitioner in the year 2022.
2. The name of the work as reflected in the Notice Inviting Pre-qualification-cum-Tender (Two Cover System) NIT No.DDP/N-11/2021-22 dated December 23, 2021 is construction of CC Road from Elas Sarkar Shop to Sajjad Mia House in P.S. Tapan.
3. An FIR was lodged against the petitioner on the allegation of forging credentials to obtain the tender. The authority proceeded to blacklist the petitioner for a period of two years with effect from July 15, 2022. The petitioner has prayed for revocation of the order of blacklisting.
4. As on date it appears that, the period of blacklisting is over. The only prayer remaining to be considered is for payment in respect of the work performed by the petitioner.

5. Whether the petitioner will be entitled to receive payment on completion of the work as the work order was obtained allegedly relying upon forged documents shall be decided by the tender-inviting authority, that is the Additional Executive Officer, Dakshin Dinajpur Zilla Parishad, the third respondent herein.
6. The said authority shall decide whether the payment can be released in favour of the petitioner or not in the light of the prevailing guidelines, upon affording an opportunity of hearing to the petitioner for production of credentials in support of his claim at the earliest, but positively within twelve weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner.
7. If any amount is found due and payable, the same shall be released in favour of the petitioner without any delay.
8. It is made clear that the Court has not adjudicated on the entitlement of the claim of the petitioner and that all points are left open for the aforesaid respondent to decide the same in accordance with law.
9. The writ petition stands disposed of.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

