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19.08.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 10694 of 2025

**Sk. Akbar Rahaman
-versus
The State of West Bengal & Ors.**

**Mr. Sougata Mitra,
Mr. Nikhil Kumar Gupta,
Ms. Soma Chakraborty,
Mr. Subhadeep Maitra.
...For the Petitioner.**

**Mr. Gourav Das,
Mr. Biman Halder.
...For the State.**

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner claims to have been issued an acceptance-cum-work order for construction of Sub-Health Centre at Pargela under Health & Family Welfare Department in August 2018.

3. As per the said work order, the work was to be completed in all respect within ninety days from the date of issuance of the work order and for each day's delay in completion of the work beyond the stipulated date; deduction of 0.1% per day of the amount payable to the contractor would be made.

4. The petitioner claims that the work was concluded satisfactorily within the stipulated time period but payment has not been made.

5. On a perusal of the documents annexed to the writ petition it appears that the petitioner, for reasons best known, has not annexed the completion certificate. Only bald submission has been made that

the work had been satisfactory completed within the stipulated time period.

6. Without the supporting documents the Court cannot ascertain as to whether work was actually completed in terms of the work order or not.

7. A representation by the petitioner seeking payment is reportedly pending consideration before the Executive Officer, Bandwan Panchayat Samity.

8. Without entering into the claim of the petitioner, the instant writ petition is disposed of by directing the Executive Officer, Bandwan Panchayat Samity, the respondent no. 4 herein to take a decision on the prayer of the petitioner for payment of dues after verification of documents with regard to successful satisfactory completion of work in terms of the work order.

9. An opportunity of hearing shall be provided to the petitioner for production of documents in support of his claim.

10. A reasoned order shall be passed by the aforesaid respondent at the earliest but positively within a period of twelve weeks from the date of communication of this order.

11. If any amount is found due and payable, the same shall be released in favour of the petitioner without any further delay.

12. The writ petition stands disposed of.

13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)