

16.07.2025
Sl. No.26
Ct.3/ SG

W.P.A. 14633 of 2025
[Jaya Construction & Company & Anr. vs. Bidhannagar Municipal Corpn. & Ors.]

Ms. Sanghamitra Nandy
... .. for the petitioner

Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag,
Mr. Tirthankar Dey.
... .. for the BMC

1. Affidavit of service is taken on record.
2. The petitioner has preferred the present writ petition alleging non-payment of admitted contractual dues by the respondent corporation.
3. It is the case of the petitioner that the respondent corporation issued work order dated 08.08.2023 in favour of the petitioner, and he has duly executed the assigned work within the extended time period. Thereafter, the Executive Engineer PWD by his Memo No. 761/PWD/ROAD/BMC dated 21.01.2025 issued a completion certificate in favour of the petitioner, stating that the petitioner has completed the work within extended period under Bidhannagar Municipal Corporation. In the said certificate, the final bill amount was mentioned as Rs.26,02,345/- (excluding GST & L.W. Cess) and Rs. 31,01,475/- (including GST & L.W. Cess).
4. Learned counsel for the petitioner submits that, despite the admitted bill amount, the respondent authority has failed to release the payment due to the petitioner. In such circumstances, the petitioner was constrained to submit a representation dated 25.03.2025, seeking expeditious redressal of the grievance.

5. He further contended that, despite receiving the said representation, the respondent corporation neither responded to it nor took any steps toward settling the admitted dues.
6. Learned counsel for the respondent corporation submits that the respondent is willing to decide the petitioner's representation dated 25.03.2025 within a period of four weeks from the date of receipt of a server copy of this order, after affording the petitioner an opportunity of personal hearing.
7. In view of the submissions made by the learned counsel for the respondent corporation, this Court deems it appropriate to dispose of the present writ petition by directing the respondent corporation to decide the petitioner's representation dated 25.03.2025, strictly in accordance with law, within a period of four weeks from the date of receipt of a server copy of this order, after affording the petitioner an opportunity of personal hearing and by passing a reasoned and speaking order.
8. The outcome of the said consideration shall be communicated to the petitioner within one week thereafter.
9. Needless to mention that if the petitioner is aggrieved by the speaking order, the petitioner will be at liberty to challenge the same in accordance with law.
10. With the above direction the present writ petition is disposed of.
11. Since no affidavit has been called for, the allegations made in the writ petition cannot be deemed to have been admitted.

12. Let urgent photostate certificate copy of the order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)