

19.09.2025
Item No. 22
Ct. No. 42
AN

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 16378 of 2025

**Amanat Islam
vs.
State of West Bengal & ors.**

Mr. Dhiraj Kumar Trivedi, Id. Sr. Adv.
Mr. Indranil Chandra
Mr. Souvik Sarkar

... for the petitioner

Mr. Joydeep Banerjee
Mr. Sailendu Sekhar

... for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for disbursement of the bill amount of Rs. 4,83,599/- in favour of the petitioner for completion of work done as per the work order being Memo No. 158/Rhat-II dated 19th January, 2021.
3. The petitioner contends that he participated in notice inviting e-tender No. 21/RHAT-II/20-21 dated 6th January, 2021 for installation of ten numbers of Tube Well at various places of Tentulia and Mellerdanga Village of Bishnupur Gram Panchayet under Rampurhat-II Panchayat Samity. The work order was allotted to the petitioner vide work order Memo No. 158/Rhat-II dated 19th January, 2021. The petitioner duly completed the work allotted to him. There is, however, an outstanding amount of Rs. 4,83,599/-

pertaining to the work executed by the petitioner. The petitioner made several representations before the respondent authorities for disbursement of the said amount, however, no steps have yet been taken. Hence this writ petition.

4. Mr. Dhiraj Kumar Trivedi, learned Senior Advocate appearing for the petitioner submits that the State has not disputed the said outstanding amount as claimed by the petitioner which would be evident from the Completion Certificate dated 23rd February, 2022 at page 19 of the writ petition. The petitioner has completed the work allotted to him, however, despite persuasive steps taken by the petitioner, the outstanding amount of Rs.4,83,599/- payable to the petitioner is still not been disbursed. The above action of the State is a failure of principles of natural justice and he seeks for necessary direction upon the respondent authorities for disbursement of the said amount in favour of the petitioner. In support of his contention, he relies following two decisions of the Hon'ble Supreme Court (i) ***Harbanslal Sahnia & anr. versus Indian Oil Corporation Ltd. & ors.*** reported in ***(2003) 2 SCC 107*** and (ii) ***Surya Constructions versus State of Uttar Pradesh & ors.*** reported in ***(2019) 16 SCC 794***. He seeks for appropriate orders.
5. The State has not filed any report.

6. Mr. Joydeep Banerjee, learned advocate representing the State submits that he has not received any instruction.
7. Be that as it may, as per the Completion Certificate at page 19 of the writ petition, the outstanding amount is an admitted one. It is not in dispute that the petitioner has completed work allotted to him and an outstanding of Rs.4,83,599/- has remained unpaid. This Court finds substance in the submission of learned Senior Advocate appearing for the petitioner relying on *Harbanslal Sahnia (supra)* and *Surya Constructions (supra)*.
8. In the light of the above, the respondent no. 3, the District Magistrate, Birbhum is directed to take appropriate steps for disbursement of the amount of Rs.4,83,599/- payable in favour of the petitioner within a period of six weeks from the date of communication of this order.
9. Learned advocate for the petitioner is directed to communicate this order to respondent no. 3, the District Magistrate, Birbhum, for necessary compliance.
10. Accordingly, the writ petition being no. **WPA 16378 of 2025** stands disposed of.
11. Consequently, connected applications, if any, also stand disposed of.
12. Interim orders, if any, stand vacated.
13. There will be no order as to costs.

14. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)