

S/L 6
04.12.2025
Court. No. 25
sourav

WPA 17090 of 2025

Pradip Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Kalyan Kumar Chakraborty
Mr. Gopal Krishna Sarkar

...for the petitioner.

Mr. Kaustav Chatterjee

...for the State.

1. The petitioner has filed the present writ application praying for a direction upon the respondents authorities for release of an amount of Rs. 27,34,247.70 being the security deposit made by the petitioner before the Executive Engineer, West Bengal, Agro Industries Corporation Limited.
2. The petitioner has relied upon the work orders dated 17.01.2011, 14.01.2011, 01.03.2011 and 03.12.2010 and the completion certificate appearing at Page Nos. 26, 27 and 28. The completion certificates are with respect to the work orders issued by the authorities in the year 2007, 2008 and 2010 not in 2011. Now the petitioner has filed the supplementary affidavit wherein the petitioner has disclosed one complaint made to the Inspector-in-Charge, Bahrapore Police Station dated 02.09.2025 wherein the petitioner alleged that the communication made by the petitioner and authorities have been lost.
3. The learned counsel for the respondents has raised the point of maintainability on the ground of limitation. He submits that the petitioner claimed that the work order

has been issued in the year 2011 and the petitioner has completed the work but in the year 2025, the petitioner has filed the present writ application for claiming the security deposit which is barred by limitation.

4. The learned counsel for the petitioner to buttress his case submits that there was several documents which shows that the petitioner made several requests to the authorities and authorities have assured that they will release the amount but the said communications have been misplaced and a complaint is lodged at the concerned police station.
5. Considered the submissions made by the learned counsel for the respective parties.
6. The case of the petitioner is that the petitioner is entitled to get an amount of Rs. 27,34,247.70 being the security deposit submitted by the petitioner with respect to the several work orders issued to the petitioner and the petitioner has completed the work but the authorities have not released the security deposit.
7. This Court considered the work order and the completion certificate which the petitioner has relied upon. The completion certificate which the petitioner has relied upon is of 2007, 2008 and 2010 and the work orders which the petitioner has relied upon is of 2011 and 2010. Thus this Court failed to appreciate how the completion certificate has been issued by the authority prior to issuance of the work order. Now after the period of 17 years, the petitioner has filed the

present writ application praying for release of the security deposit but the petitioner has not disclosed any document to show that the petitioner at any point of time has deposited security amount before the authority. The complaint made by the petitioner to the police authority is afterthought.

8. Considering the above, this Court finds that the petition filed by the petitioner is misconceived and barred by limitation.
9. Accordingly, **WPA 17090 of 2025** is dismissed.

(Krishna Rao, J.)