

S/L 41
10.11.2025
Court. No. 25
sourav

WPA 24411 of 2023

**Cyber Swift Infotech Private Limited
Vs.
Webel Technology Limited & Anr.**

*Mr. Debasis Mitra
Ms. Priya Chakraborty
Mr. Diptonil Dey*

...for the petitioner.

1. The petitioner has filed the present writ application praying for release of outstanding dues of Rs. 34,45,600/-.
2. The respondent no. 1 has issued a work order to the petitioner on May 24, 2019 for supply of altogether 15 items. On receipt of the work order, the petitioner has supplied the following materials namely,
 - a. Google API License for one year.
 - b. Land Maintenance Module.
 - c. Attendance Monitoring Module.
 - d. SSY Beneficiary Module.
 - e. Event recorder Module.
 - f. Supply and Configuration of Hired Virtual Dedicated Server for a period of one year for development purpose.
 - g. Supply and Configuration of the Hired Virtual Dedicated Server for a period of one year for back up purpose.”
3. After supply of the above mentioned materials, the petitioner has raised invoices to the respondent no. 1. The respondent no. 1 has forwarded the said invoices to the respondent no. 2 for release of the said amount so as to enable the respondent no. 1 to pay the amount of Rs. 34,45,600/- in favour of the petitioner as per the invoice

raised by the petitioner. In spite of the invoice raised by the petitioner, the respondent no. 1 has not released the amount. Accordingly, the petitioner has sent a notice to the respondent no. 1 calling upon the respondent no. 1 for payment of the said amount.

4. On receipt of the notice of the petitioner, the respondent no. 1 has sent a reply stating as follows:

“That it is matter of record that after receipt of the work order you have delivered the service items as mentioned in your letter and raised invoice No. GINV/19-20/102 dated 17.09.2019 for an amount of Rs. 34,45,600/- (Rupees Thirty four lacs Forty-five Thousand and Six Hundred only), that it is matter of record that as on today no payment has been released by the relevant customer and as such payment could not be released. That my client have several occasions has followed up regarding payment with the client, but till today the same has not been released.”

5. The respondent no. 2 instead of releasing the amount has issued an order dated March 3, 2020 by recalling the work order issued in favour of the petitioner. As the amount had not been released in favour of the petitioner, the petitioner has filed the present writ application.
6. The respondent no. 1 has filed the affidavit-in-opposition wherein the respondent no. 1 has admitted that the petitioner has supplied part of the materials as mentioned above and has raised the invoices and the respondent no. 1 has forwarded the same to the respondent no. 2 but the respondent no. 2 has not released the said amount due to which the respondent

no. 1 is not in a position to pay the amount to the petitioner.

7. Considered the submission made on behalf of the petitioner perused the materials on record.
8. It is admitted that the respondent no. 1 has issued the work order for supply of 15 items. Out of the 15 items, some of the items have been placed as mentioned above and after supply of the materials, the petitioner has raised invoices. On receipt of the invoices, the respondent no. 1 has forwarded the same to the respondent no. 2 for release of the said amount but the respondent no. 2 has not released the said amount.
9. This Court finds that the respondent no. 1 has admitted that the petitioner has supplied the materials for a sum of Rs. 34,45,600/- but the respondent no. 1 has not released the said amount only on the ground that the respondent no. 2 has not paid the said amount.
10. Considering the above, this Court finds that the respondents have admitted that the petitioner has supplied the materials and raised the invoices. Accordingly, the respondent no. 2 i.e., the Special Secretary, the Labour Department, Government of West Bengal is directed to release the amount of Rs. 34,45,600/- within a period of three weeks from the date of receipt of the copy of this order in favour of the respondent no. 1 and if the respondent no. 1 has received the same from the respondent no. 2, the respondent no. 1 within a week from the date of receipt of amount shall release the said amount in favour of the petitioner.

11. **WPA 24411 of 2023** is disposed of.
12. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)