

06.05.2025
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Ct. No.7
sdas

WPA 25450 of 2022

Madhusudan Ghosh @ Madhu Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sandipan Maity
Sk. Saifuddin
.....for the petitioner

Affidavits-of-service filed in Court is taken on record.

The present writ petition has been preferred seeking a direction upon the competent authority to release the amount of Rs. 21,54,529/- raised by the petitioner in his bill, following the completion of the work assigned to him.

Mr. Maity, learned advocate representing the petitioner, submits that following a tender process, the work for the construction of a boundary wall at Bishanpur Muslimpara Graveyard, Mouza-Bishanpur, Srirampara, Plot Nos. 766, 767, 768, 773, JL No. 69, under Manikchak Block, Malda, was assigned to the petitioner. The petitioner has completed the work within the time frame specified in the work order and in accordance with the specifications outlined in the work order. Upon

completion of the work, the petitioner raised a final bill for Rs. 21,54,529/-. However, despite the receipt of the final bill, no steps have been taken by the respondent authority to release the payment, which has compelled the petitioner to file the present writ petition.

Despite service the respondents are unrepresented.

The record reveals that the petitioner submitted a representation to the Executive Engineer, West Bengal Agro Industries Corporation Ltd., Malda Division, on 8th September 2021. However, no favorable response was received.

In light of this, the writ petition is disposed of with a direction to the Executive Engineer (respondent no. 5) to take a decision on the petitioner's representation, after providing an opportunity for a hearing to the petitioner.

If the Executive Engineer finds merit in the petitioner's claim, appropriate follow-up actions shall be taken. However, if the Executive Engineer concludes that the petitioner's claim lacks merit, a reasoned order shall be passed and communicated to the petitioner. This entire process shall be completed within eight weeks from the date of communication of this order.

It is clarified that I have not gone into the merits of the case. All issues are left open to be decided by the concerned authority while considering the petitioner's application.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)