

06.05.2025
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Ct. No.7
sdas

WPA 25452 of 2022

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

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

Mr. Nilotpal Chatterjee
Mr. Amritlal Chatterjee
..... for the State

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 disburse the amount of Rs. 18,85,425/- 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 pursuant to a tender process, the work for the construction of a boundary wall at Jalalpur Graveyard, Mouza-Ugritola, Plot Nos. 560 to 567, JL No. 23, under Manikchak Block, Malda, was assigned to the petitioner. The petitioner has completed the work within the specified time

frame and in accordance with the specifications outlined in the work order.

After completing the work, the petitioner raised a final bill for Rs. 18,85,425/-. However, despite the submission of the bill, the respondent authority has taken no steps to release the payment. This inaction has compelled the petitioner to file the present writ petition.

Mr. Chatterjee, learned advocate entered appearance on behalf of the State. He left the matter to the discretion of the Court.

The record indicates that the petitioner submitted a representation to the Executive Engineer, West Bengal Agro Industries Corporation Ltd., Malda Division, on 12th September 2018. 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 decide 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 action shall be taken. However, if it is determined that the petitioner's claim lacks merit, a reasoned order shall be passed and communicated to the petitioner. The

entire process is to be completed within eight weeks from the date of communication of this order.

It is clarified that I have not delved 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.)