

06.05.2025
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Ct. No.7
sdas

WPA 25697 of 2022

Sankar Halder
Vs.
The State of West Bengal & Ors.

Mr. Syed Nurul Arefin
Ms. Saswati Chatterjee
Mr. Rahul Singh
Ms. Rashni Binayak
.....for the petitioner

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee
..... for the State

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

The present writ petition has been preferred seeking a direction upon the respondents to make payment of residual part of the amount raised in the bill presented by the petitioner.

Mr. Arefin, learned advocate representing the petitioner, submits that following a tender one work order was issued for carrying out various types of jobs by the Mandirbazar Panchayat Samity, South 24 Parganas. By the work order, the petitioner was instructed to complete the work within 120 days. It is also submitted that work order was completed within the time specified in the work order and as

the specification contained in the work order. After completion of such work, the petitioner raised a bill of Rs.7,89,080/-. Even the authority concerned had made a part payment of Rs. 3,31,417/-. However, without assigning any reason the authority has withheld the residual part of that amount citing a reason of non-availability of sufficient fund. It is further submitted that the petitioner approached the competent authority by submitting several representations but no effective step has been taken. This event has compelled the petitioner to prefer this writ petition.

Mr. Chatterjee, learned advocate representing the State, submits that an appropriate direction may be given to the Executive Officer to take decision on the petitioner's representation.

Having heard the learned advocates representing the respective parties and upon perusal of the materials on record, the writ petition is disposed of by directing the Executive Engineer, Mandirbazar Panchayat Samity, South 24 Parganas, to take decision on the petitioner's representation appearing at page nos. 24 and 25 of the writ petition, after affording an opportunity of hearing to the petitioner. If the respondent no. 5, Executive Officer, finds substance in the petitioner's claim he

will take follow-up steps but if he comes to a conclusion that the petitioner's claim lacks merit, a reasoned order shall be passed and the same shall be communicated to the petitioner. Entire exercise shall be carried out within a period of eight weeks from the date of communication of this order.

I have not gone into the merit of the case. All issues shall left open to be decided by the authority concerned while taking decision on the petitioner's application.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)