

10.07.2025
Sl. No.4
Ct. No.42
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 28313 of 2024

Ghattore Khas Khabar SHG & ors.

Versus

The State of West Bengal & Ors.

Mr. Goutam Sen

... for the petitioners

Mr. Srijan Nayak

Mrs. Rituparna Maitra

...for the State-respondents.

This writ petition has been filed seeking for consideration of the representation of the petitioners dated 15th March, 2024 and 13th April, 2024 and to disburse the entire amount remaining unpaid to the petitioners for execution of work for construction of *Individual Household Latrines* (in short, 'IHHLS') under *Mission Nirmal Bangla* activities in Labpur Panchayet Samity area to obtain the goal of 'Nirmal' district as well as ODF.

The petitioners claims that they have constructed 1309 numbers of IHHLS latrines and the total outstanding amount is Rs.1,36,90,000/-.

Mr. Goutam Sen, learned Advocate for the petitioners submit that though such work was executed on the basis of work orders issued in favour of the petitioners, however, the outstanding payments have not been disbursed in favour of the petitioners by State authorities

despite repeated persuasion by the petitioners. Hence, this writ petition for disbursement of the entire amount of Rs.1,36,90,000/- in favour of the petitioners.

On the contrary, Mr. Srijan Nayak, learned Advocate for the State-respondents submits that the petitioners have constructed 184 numbers of IHHLs against valid work orders. As per the record of the State authorities, save and except 184 numbers of work orders, there are no other work orders issued in favour of the petitioners for execution of such work. Admittedly, an amount of Rs.18,40,000/- is outstanding and the petitioners are entitled to such amount only.

Mr. Sen, learned advocate for the petitions, at this stage, submits that a direction be issued for disbursement of the admitted amount with liberty to the petitioners to submit a comprehensive representation before the District Magistrate.

Upon going through the materials on record and submissions advanced on behalf of the learned Advocates for the appearing parties, it is found that there is a dispute with regard to numbers of IHHLs constructed by the petitioners. On the one hand, the petitioners claim that they have constructed 1309 numbers of IHHLs, whereas the State says that only 184 numbers of IHHLs were constructed wherein. Such disputed fact cannot be gone into in the writ petition. Be that as it may, admittedly undisputed amount of Rs.18,40,000/- has not been disbursed in favour of the petitioners.

Accordingly, respondent no.2, the District Magistrate and Collector, Birbhum, is directed to disburse the admitted amount of Rs.18,40,000/- in favour of the petitioners upon verification and scrutiny through the appropriate authority responsible over the matter, within two months from the date of communication of this order by the petitioners.

So far as the disputed number of work orders and the amount are concerned, the petitioners are granted liberty to file a comprehensive representation annexing all the work orders and other relevant records before the respondent no.2, the District Magistrate & Collector, Birbhum who or any other appropriate authority delegated by him shall examine the same and pass a reasoned order in accordance with law within a period of three months from the date of submission of representation by the petitioners.

The reasoned order shall be communicated to the petitioners within a week of passing such order.

Learned advocate for the petitioners is directed to communicate this order to respondent no.2, District Magistrate and Collector, Birbhum.

In view of the above, the writ petition being **WPA 28313 of 2024** stands disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

There shall be no order as to costs.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)