

11.02.2026
Court No. 15
Item No. 06
Sandip

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 1854 of 2025

Abul Khayer Gazi
Vs.
The State of West Bengal & Ors.

Mr. Ziaul Haque,
Ms. Paulami Ghosh
.....for the petitioner.

Mr. Susanta Pal,
Mr. Shibasish Banerjee
....for the State

It is the grievance of the petitioner that he has not received payment from the concerned Gram Panchayat for the successful completion of a work order for the following items:

(a) Construction of bamboo pilling near the house of Nawsar Molla;

(b) Construction of bamboo pilling near the house of Ayed Molla; and

(c) Construction of bamboo pilling near the house of Patra Para within the stipulated period.

The concerned Block Development Officer, however, has filed a report before this Court by way of an affidavit. In the said report, it has been categorically asserted that no work order was issued in favour of the petitioner for Items (a) and

(b). With regard to Item (c), it is stated that the petitioner did not commence the work despite repeated requests; consequently, no payment has been made in his favour.

Learned counsel appearing for the petitioner, however, has taken exception to the report by filing an affidavit and submits that the work was indeed successfully completed by the petitioner.

The disputed facts emerging from the proceedings cannot be adjudicated under Article 226 of the Constitution of India. The Court is of the view that the factual aspects involved in this matter can be verified only after appropriate evidence is led in a competent forum.

In view of the above, **W.P.A. 1854 of 2025** is dismissed.

It is, however, clarified that the dismissal of the writ petition shall not preclude the petitioner from approaching an appropriate forum for redressal of his grievance in accordance with law.

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.

(Kausik Chanda, J.)