

WPA 8368 of 2025
Susanta Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Mr. Nitish Samanta,
Ms. Shreyashee Mitra

...for the Petitioner

Mr. Abdul Hamid,
Md. Munsii Mijanur Rahaman

...for the State

The present writ petition has been instituted alleging non-payment of the petitioner's dues despite the successful execution of a work order issued by the Executive Officer, Bankura-I Panchayat Samity, Bankura.

It is not in dispute that, during the pendency of the writ petition, the petitioner has received the entire value of the work order, amounting to Rs. 4,79,469/-.

Learned counsel appearing on behalf of the petitioner seeks interest on account of the delayed payment. It appears, however, that the delay was occasioned by the non-availability of requisite funds at the material point of time.

In my considered view, there is no statutory provision warranting the grant of interest in the facts and circumstances of the present case. Moreover, determination of entitlement to interest would involve adjudication of disputed questions of fact, which cannot appropriately be undertaken in the exercise of writ jurisdiction.

Accordingly, this Court is not inclined to grant any interest in the present petition. The petitioner shall, however, be at liberty to institute a civil suit claiming interest, if so advised.

WPA 8368 of 2025 is **disposed of** accordingly.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned Advocates for the parties on usual undertaking.

(Kausik Chanda, J.)