

18.06.2026
Sl. No.28(DL)
Ct. No.6
srm

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

**W.P.A. No. 87 of 2026
Heritage Construction & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Debopriyo Karan,
Mr. Sankhasuvra Roy,
Mr. Avimannu Das
...for the Petitioners.

Ms. Supriya Singh,
Ms. Rajni Singh Dev
...for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek direction upon the respondent municipal authorities to pay arrear dues of Rs.9,81,790/- together with interest accrued thereon to the petitioners from the date of completion of the work till the date of actual disbursement.
3. The petitioners contend that the petitioner No.1, namely, Heritage Construction is a registered Government contractor and builder and the petitioner No.2 is the proprietor of the petitioner No1. The respondent No.3-Mal Municipality floated tender for construction of diagnostic centre of Mal Municipality at 1st Floor of Market

Complex (Uttarapan) at Station Road, Mal. In response to such NIT the petitioners submitted tender which was accepted by the respondent Nos.3 and 4. Accordingly, work order was issued in favour of the petitioners. The petitioners completed work allotted to them. Upon completion of the work, the petitioners raised bill to the tune of Rs.36,06,927/-. After much persuasion, the municipal authorities have passed bill for payment of Rs.26,25,137/-. However, the rest amount of Rs.9,81,790/- still remains outstanding. Hence, this writ petition.

4. Mr. Debopriyo Karan, learned Advocate appearing for the petitioners seeks for specific direction upon the respondent Nos.3 and 4 to disburse the outstanding dues of Rs.9,81,790/- within a stipulated period together with interest.
5. By order dated 13th February, 2026, the municipality was directed to take necessary instruction with regard to the outstanding dues. On 11th June, 2026, accommodation was sought for on behalf of the Mal Municipality. Today, when the matter is taken up, none appears on behalf of the Mal Municipality.

6. Ms. Supriya Singh, learned Advocate representing the State-respondents submits that answering respondent is the Mal Municipality.
7. Admittedly, the petitioners participated in the NIT and tender submitted by the petitioners was accepted by the municipality. Work order was issued in favour of the petitioners. The total tender bill amount was Rs.36,06,927/-. Record reveals that an amount of Rs.26,25,137/- has already been disbursed in favour of the petitioners by the Municipality. The outstanding dues of Rs.9,81,790/- is yet to be disbursed. Such being the position, the petitioners are entitled to the outstanding amount.
8. Accordingly, the respondents Nos.3 and 4 are directed to disburse the outstanding amount of Rs.9,81,790/- together with interest @ 8% per annum from the date of completion of the work till the date of disbursement within a period of eight weeks from date of communication of this order.
9. Learned advocate for the petitioners is directed to communicate this order to respondent Nos.3 and 4, for necessary compliance.

10. With the above direction, the writ petition being **WPA 87 of 2026** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. 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.)