25.11.2026
Ct. No. 6
Sl. No.25
akd

In the High Court at Calcutta
Circuit Bench at Jalpaiguri

W. P. A. 3139 of 2026

[Basab Malakar -Vs- The State of West Bengal & Ors.]

Mr. Mahim Sasmal
... ... for the petitioner

Mr. Kunaljit Bhattacharjee .. ld. A.G.P.
Mr. Ashoke Kumar Singhi
Ms. Tamanna Kar
... ... for the State

1. The petitioner has preferred the present writ petition seeking a direction upon the respondent authorities to release an amount of Rs.41,49,600/- together with interest. The amount is claimed towards the supply and installation of solar LED street lights under the work order issued by the Chairman, Mal Municipality.

2. It is the case of the petitioner that vide work order dated 01.09.2023, the Chairman, Mal Municipality, engaged the petitioner for supply and installation of 30W semi integrated solar LED street light at various roads and places under Mal Municipality at the rate of Rs.24,700/- per unit plus applicable GST. The petitioner submits that he supplied and installed 50 units of the said street light from September, 2023 and a further 100 units in December, 2023. The receipts of these units have been acknowledged by the Mal Municipality. The petitioner has raised invoices in terms of the said supply of goods. However, no payment had been made to him despite raising of the invoices. The petitioner had made representations dated 08.07.2025 and 04.12.2025 respectively before the Chairman, Mal Municipality.

3. Learned counsel for the petitioner submits that despite completion of the work assigned to his client and after bearing the costs from his own resource, the petitioner has not been paid. He further submits that despite repeated representations, the respondent authorities have neither released the payment nor taken any decision on the claim of the petitioner.

4. Learned counsel for the State-respondents submits that the authorities are ready and willing to consider the representations of the petitioner dated 08.07.2025 and 04.12.2025 respectively in accordance with law.

5. In view of the submissions made by the learned counsel for the State-respondents, learned counsel for the petitioner submits that his client shall be satisfied if the representations dated 08.07.2025 and 04.12.2025 respectively are decided in a time bound manner by the competent authority.

6. Accordingly, this Court directs the Sub-Divisional Officer, Jalpaiguri (respondent no. 4) to decide the representations of the petitioner dated 08.07.2025 and 04.12.2025 respectively, strictly in accordance with law, and to pass a speaking order within a period of eight weeks from the date of communication of this order, after affording an opportunity of personal hearing to the petitioner and verify the supply and installation of the solar LED street light against the work order and the bill submitted by the petitioner. The decision so taken, shall be communicated to the petitioner within a period of one week thereafter.

7. It is made clear that this Court has not gone into the merits of the claim of the petitioner, including the claim for

interest. All points are left open to be decided by the competent authority independently and in accordance with law.

8. With the aforesaid directions, the present writ petition is disposed of.

9. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)