IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

25.11.2026
Ct No. 6
Sl. No.28
SG

W. P. A. 3187 of 2026

M/s. Construction Enterprise
Vs
The State of West Bengal & Ors.

Mr. Debayan Goswami,
Ms. Debadrita Maitra.
...for the petitioner

Mr. Arijit Ghosh,
Mr. Ashoke Kr. Singhi.
...for the State

1. Affidavit-of-service, as filed by the petitioner, is taken on record.

2. The petitioner has preferred the present writ petition seeking a direction upon the respondent authorities to pay a sum of Rs.16,04,576.88/-, being the balance amount due against its final bill along with interest, for the work executed pursuant to the work order dated 03.05.2023.

3. The petitioner is a government contractor. Pursuant to its tender submitted in response to the e-NIT no. 1 of ME/COB/2023-24, the petitioner was issued letter of acceptance cum work order dated 03.05.2023. The work involved construction of footpath, water point, sinage, display galley, etc. under rejuvenation programme of Sagar Dighi and adjoining action area. The petitioner states that it completed the work on 30.12.2024. An

amount of Rs.22,97,089/- was paid to the petitioner against first R/A Bill on 31.03.2024. The respondent no. 7 issued a completion certificate dated 20.04.2026 vide No. ME/COB/21/C-10/2022. The said certificate records that the final bill value at Rs.39,01,665.88/- and that payment had been made only upto the first R/A bill, and describes the petitioner's performance as satisfactory. Thereafter, the petitioner submitted a representation dated 29.04.2026 followed by a reminder dated 14.05.2026, before the respondent no. 7 seeking release of the balance amount of Rs.16,04,576.88/-. The petitioner states that no decision has been taken on the said representation so far.

4. Learned Counsel for the respondents states that the respondent authorities are ready and willing to consider the petitioner's representation within a time bound manner.

5. Heard learned Counsel for the parties and perused the materials placed on record. The petitioner's representations dated 29.04.2026 and 14.05.2026 seeking release of the balance of the bill are admittedly pending before respondent no. 7. The completion certificate issued by respondent no. 7 itself records that the work has been completed and specifies the final bill value. It also records that the payment has been made to the petitioner only upto the first R/A bill.

6. In such circumstances, this Court considers that the ends of justice would be met if the respondent authorities are directed to decide the petitioner's representations dated 29.04.2026 and 14.05.2026 in accordance with law. The respondent no. 7 shall take into account the completion certificate issued on 20.04.2026 and shall obtain all such sanctions and approvals from the higher authorities as may be necessary. The respondent no. 7 shall also afford an opportunity of hearing to the petitioner and shall pass a reasoned and speaking order within a period of eight weeks from the date of communication of this order. The decision so taken shall be communicated to the petitioner within one week thereafter.

7. It is made clear that this Court has not gone into the merits of the petitioner's claim including the claim of interest. All points are kept open to be decided by competent authority in accordance with law.

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

9. Since no affidavit is called for, allegations made in the petition are deemed to have been denied.

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

(Gaurang Kanth, J.)