
(2018) 12 CAL CK 0021
In the Calcutta High Court
Case No : Writ Petition No. 23390(W) Of 2018

Prasanta Das

APPELLANT

Vs

State Of West Bengal & Ors

RESPONDENT

Date of Decision : 06-12-2018

Acts Referred:

Citation : (2018) 12 CAL CK 0021

Hon'ble Judges : Debangsu Basak, J

Bench : Single Bench

Advocate : Anirban Dutta, Monika Saha, Probal Sarkar, Kalimuddin Mondal, Bapin Ghosh

Final Decision : Disposed Off

Judgement

Affidavit of service filed in Court be kept with the record.

The petitioner seeks payment of admitted bill amount along with interest.

Learned advocate for the petitioner relies upon a judgment and order dated February 8, 2018 passed in W. P. No.28829 (W) of 2017 (M/s. New Standard Construction v. The State of West Bengal & Ors.) and submits that, the petitioner is similarly situated and circumstanced as that of the writ petitioner in M/s. New Standard Construction (supra). He submits that, the Court may be pleased to pass similar order as that of M/s. New Standard Construction (supra).

The Municipality and the State are represented.

Learned advocate appearing for the municipality relying upon a letter dated June 20, 2017 submits that, the municipality had written to the minister-in-charge of the concerned department for allotment of special fund for the purpose of payment. It appears that, the bills of the petitioner are not disputed. The petitioner appears to be similarly circumstanced and situated as that of the writ petitioner in M/s. New Standard Construction (supra).

In such circumstances, the respondent municipality is directed to release the

arrears amount in favour of the petitioner within a period of three months together with interest at the prevailing highest rate payable by an nationalized bank on a fixed deposit from the payment of the bills till the date of actual payment. The competent authority of the State Government is also directed to render its cooperation to the respondent municipality for releasing the aforesaid fund in favour of the petitioner provided that, the hard copies of the relevant documents are furnished to them forthwith, if the same have already not been furnished to the State Government.

W. P. No.23390 (W) of 2018 is disposed of accordingly.

There shall be no order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.