

Court No. 19

(265719)

08.01.2026

(A 473)

(S. Banerjee)

WPA 2134 of 2023

Partha Guha

Vs.

The Secretary M E Department & Ors.

CAN 1 of 2024

CAN 2 of 2025

Mr. Saptanshu Basu, Sr. Advocate
Mr. Debdatta Sen, Sr. Advocate
Ms. Suchismita Ghosh Chatterjee
Mr. Malay Kumar Seal

...for the petitioner

Mr. Jayanta Samanta
Mr. Kushal Biswas

...for the State

Re: CAN 1 of 2024

The writ petitioner has prayed for a direction upon the respondent authorities including the authorities of Bongaon Municipality to release the payment in favour of the writ petitioner in respect of the work performed by the petitioner under various work orders issued in favour of the writ petitioner.

This Court by an order dated November 4, 2024 directed the Chief Engineer, Municipal Engineering Directorate, being the 2nd respondent, to issue the written recommendation to the Chairman of Bongaon Municipality on or before November 11, 2024 and it was further observed that it would be open to the 2nd

respondent to call for any report or papers from the concerned Executive Engineer for issuing the written recommendation. In the said order it was recorded that Mr. Sinha, learned advocate appearing for the Bongaon Municipality prayed for three weeks' time to release the payment from the date of receipt of the written recommendation and on such prayer the Chairman, Bongaon Municipality was directed to release the payment withheld on account of trial run within the time limit indicated therein. The Chairman, Bongaon Municipality has taken out an application praying for modification, vacation and variation of the order dated November 4, 2024. Upon going through the grounds on which such modification, vacation and/or variation was sought for, this Court feels that the main writ petition is also to be heard along with the application. Since the matter pertains to Group V of the classification list (municipality matters), for want of determination this Court cannot take up the application.

Accordingly, the matter stands released from the list of this Bench.

Parties will be at liberty to take appropriate steps strictly upon notice to each other.

(Hiranmay Bhattacharyya, J.)