

13.08.2025
Sl. No. 06
Ct No. 3
SG

WPA 5919 of 2025
Tapas Chatterjee
Vs
The State of West Bengal & Ors.

Mr. Subhrajyoti Ghosh.
... for the petitioner

Mr. Moniruzzaman,
Mr. Arkoday Mukherjee.
...for the State

1. The petitioner has preferred the present writ petition being aggrieved by the inaction of the respondent-Municipality in failing to consider or decide the petitioner's representations seeking release of the security deposit pertaining to the construction work executed by the petitioner.

2. It is the case of the petitioner that the respondent-Municipality had floated a tender for the construction of a cement concrete road under the 'Housing for All' scheme within the municipal limit. The petitioner was awarded the contract and duly completed the work within the stipulated time line, and thereafter submitted the final bill. Although the respondent had cleared the final bill, the security deposit of Rs.97,195/- has not been released till date. As per the terms and conditions of the tender 30% of the security deposit had to be refunded to the

contractor within a period of two years from the actual date of completion of the work. The balance 70% of the security deposit shall be refunded to the contractor on expiry of three years from the actual date of completion of work. Since the said period elapsed, the petitioner submitted various representation dated 29.02.2024, 02.07.2024, 26.07.2024 and 07.08.2024 requesting for release of the security deposit. However, no response has been received from the respondent-Municipality till date. Aggrieved by such inaction, the petitioner has preferred the present writ petition.

3. Learned Counsel for respondent submits that the Chairman has already been removed and Section 431 of the West Bengal Municipal Act, 1993 has been invoked. He seeks and is granted two weeks time to take instruction.

4. Let the matter be listed after four weeks (10.09.2025).

(Gaurang Kanth, J.)