

06-05-2025
Item No.165 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.14168 of 2024

New Alignment

-vs-

The State of West Bengal & Ors.

Mr. Banshari Bhusan Sarker
Ms. Iti Dutta
Ms. Priti Jain
Mr. Pratit Sarkar ...for the petitioner

Mr. Dipanjan Datta ...for the State

Mr. Avishek Guha
Mr. Sirsanya Bandopadhyay
Mr. Subhajit Das ...for KMDA

1. The petitioner alleges that despite part-payment being made on account of successful completion of a project, Kolkata Metropolitan Development Authority did not release the estimated amount to the petitioner. A representation (Annexure P3, p.45) from the end of the petitioner before the Chief Executive Officer of KMDA is pending consideration for a considerable period of time.
2. Learned counsel for KMDA denies the allegation of the petitioner and submits that the project could not be completed within the stipulated time period for which the fund which was provided by the Central Government had to be returned. It has also been submitted that the petitioner's representation was duly followed up by KMDA with the Urban Development Department.
3. Be that as it may, as it appears that the petitioner's prayer for releasing the outstanding

final payment is yet to be disposed of by KMDA, accordingly, the instant writ petition is disposed of by directing the Chief Executive Officer, KMDA, the third respondent herein, to consider and dispose of the petitioner's prayer in accordance with law, after giving a reasonable opportunity of hearing to the petitioner and by passing a reasoned decision, at the earliest but positively within eight weeks from the date of communication of this order.

4. If any amount is found due and admissible, then necessary consequential steps for releasing the same shall be taken without any unnecessary delay.
5. The documents handed over to the learned advocate for the petitioner and placed before this court be taken on record.
6. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
7. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

