

GAHC010008902025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/326/2025

M/S SKYLARK INFRA ENGINEERING PVT. LTD.
THROUGH ITS AUTHORIZED REPRESENTATIVE,
HAVING ITS REGISTERED OFFICE AT-
1/84, 1ST FLOOR, SADAR BAZAR, DELHI CANTT, NEW DELHI.

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM,
PUBLIC WORKS (ROADS) DEPARTMENT,
GROUND FLOOR, BLOCK-B, ASSAM SECRETARIAT,
DISPUR, GUWAHATI, ASSAM- 781006.

2:DEPUTY SECRETARY
GOVERNMENT OF ASSAM
PUBLIC WORKS DEPARTMENT (BUDGET BRANCH)
JANATA BHAWAN
DISPUR
GUWAHATI- 781006.

3:PRINCIPAL SECRETARY
KARBI ANGLONG AUTONOMOUS COUNCIL
KARBI-ANGLONG
DIPHU
ASSAM.

4:SECRETARY
PUBLIC WORKS DEPARTMENT
KARBI-ANGLONG AUTONOMOUS COUNCIL
KARBI-ANGLONG
DIPHU

ASSAM.

5:CHIEF ENGINEER
P.W.D.(ROADS)
ASSAM
CHANDMARI
GUWAHATI- 781003.

6:EXECUTIVE ENGINEER
PWD KOHORA ROAD DIVISION
DOLMARA
KARBI ANGLONG
ASSAM- 782460.

7:SECRETARY/ CHIEF EXECUTIVE MEMBER
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
ASSAM- 782460.

8:EXECUTIVE MEMBER
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
ASSAM- 782460.

9:ADDITIONAL CHIEF ENGINEER
PWD(R AND B)
HILLS
ASSAM
DIPHU

For the petitioner (s) : Mr. S. J. Saikia, Advocate

For the respondent (s) : Mr. J. Chutia, SC, KAAC
Mr. B. Gogoi, SC, PWD

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

03.11.2025

Heard Mr. S. J. Saikia, the learned counsel appearing on

behalf of the petitioner. Mr. J. Chutia, the learned counsel appears on behalf of the Karbi Anglong Autonomous Council and Mr. B. Gogoi, the learned counsel appears on behalf of the PWD.

2. The petitioner herein has filed the instant writ petition claiming an amount of Rs.5,07,80,954/- as the remaining dues to which the petitioner is entitled to for completion of one work and for partial completion of another work.

3. It is noticed that the respondents have not filed any affidavit despite various opportunities having been granted to the respondents since 24.01.2025.

4. Considering the above, this Court fixes this matter again 01.12.2025.

5. The respondent Karbi Anglong Autonomous Council, under whose aegis the work orders were issued to the petitioner on 29.02.2020, shall bring on record their stand by filing affidavit as to whether the petitioner had completed the work in terms with the work order enclosed at Annexure-3 to the writ petition and further had partially completed the work as per Annexure-2 to the writ petition.

6. List accordingly.

7. It is observed that if the respondents do not file the affidavit, this Court shall dispose of the writ petition on the basis

of the materials already available on record and applying the doctrine of non-traverse.

JUDGE

Comparing Assistant