

GAHC010010942024



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

Case No. : WP(C)/325/2024

M/S SARMA ART COTTAGE AND ANR
A PROPRIETORSHIP FIRM HAVING ITS REGISTERED OFFICE AT
KAHILIPARA NARAKASUR, NEAR NARAKASUR HIGH SCHOOL, HOUSE
NO. 63, BALI RAM TERON PATH, GUWAHATI-19, DULY REPRESENTED BY
ITS SOLE PROPRIETOR DIPAK SARMAH

2: DIPAK SARMAH
PROPRIETOR OF M/S SARMA ART COTTAGE
S/O LATE DHURJYOTI SARMAH
R/O KAHILIPARA NARAKASUR
NEAR NARAKASUR HIGH SCHOOL
HOUSE NO. 63
BALI RAM TERON PATH
GUWAHATI-19
DIST- KAMRUP (M)
ASSA

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
ELEMENTARY EDUCATION DEPARTMENT, DISPUR, GUWAHATI-781006

2:AXOM SARVA SIKSHA ABHIYAN MISSION
REPRESENTED BY THE MISSION DIRECTOR
KAHILIPARA
GUWAHATI-781019

3:THE EXECUTIVE DIRECTOR
SAMAGRA SIKSHA
IN THE OFFICE OF THE AXOM SARVA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-781019
ASSAM

4:THE CHIEF EXECUTIVE DIRECTOR
AXOM SARVA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-781019

5:THE FINANCE DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-06

6:KANDARPA KUMAR KALITA
STATE PROGRAMME OFFICER
AXOM SARVA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-781019

7:MS. SUMI BORTHAKUR
STATE PROGRAMME OFFICER
AXOM SARVA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-781019

8:RIPEN BORO
STATE PROGRAMME OFFICER
AXOM SARVA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-781019

9:MS. REBATI MOHAN KAKATI
STATE PROGRAMME OFFICER
AXOM SARVA SIKSHA ABHIYAN MISSION
KAHILIPARA
GUWAHATI-78101

For the petitioner (s) : Ms. B. Bhuyan, Advocate

For the respondent (s) : Mr. B. Choudhury, Advocate
Ms. S. Konwar, Advocate
Mr. A. Chaliha, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH

24.01.2024

Issue notice making it returnable on 04.03.2024.

2. Mr. B. Choudhury, the learned counsel appears on behalf of the respondent Nos.1 to 4 and Mr. A. Chaliha, the learned counsel appears on behalf of the respondent No.5. As the respondent Nos.1 to 5 are duly represented, extra copies of the writ petition be served upon them by 25.01.2024.

3. As regards the respondent Nos. 6 to 9, the petitioner is directed to take steps by way of registered post with A/D as well as through usual process on or before 29.01.2024.

4. The case of the petitioners herein is that the petitioners had supplied various materials to the respondent authorities amounting to Rs.42,66,522.00 without GST during the period from 04.05.2022 to 09.05.2022. However, the said amount has not been paid to the petitioner for which the instant writ petition has been filed.

5. The respondents, more particularly the respondent Nos.2 to 4 shall appraise this Court on the next returnable date as to whether the petitioner is entitled to the said amount of Rs.42,66,522.00 and if so, why the said amount has not been paid.

6. List accordingly.

JUDGE

Comparing Assistant