

GAHC010027932026



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

Case No. : WP(C)/1283/2026

MR ABDUL AZIZ
SON OF FAZLUR REHMAN RESIDENT WARD NO. 6, ABHAYAPURI, P.O AND
P.S- ABHAYAPURI, BONGAIGAON, ASSAM, PIN- 783384.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
PNRD DEPARTMENT, DISPUR, GUWAHATI-781006, ASSAM.

2:COMMISSIONER
PNRD DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-781037
ASSAM

3:THE DISTRICT COMMISSIONER
BONGAIGAON
PIN - 783380
ASSAM.

4:THE CHIEF EXECUTIVE OFFICER
ZILLA PARISHAD
BONGAIGAON
ASSAM PIN 783380

5:THE BLOCK DEVELOPMENT OFFICER
BOITAMARI DEVELOPMENT BLOCK
BOITAMARI
PIN- 783389
ASSAM.

6:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF

ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI 78100

Advocate for the Petitioner : MR. M DUTTA, MS S DEV,JAFAR ALI,MR J MAHANTA

Advocate for the Respondent : SC, P AND R.D., GA, ASSAM,SC, FINANCE

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 09.03.2026

Heard Mr. J. Mahanta, learned counsel for the petitioner; Mr. S. Dutta, learned Standing Counsel, Panchayat and Rural Development [P&RD] Department for the respondent nos. 1, 2, 4 & 5; Ms. U. Das, learned Additional Senior Government Advocate, Assam for the respondent no. 3; and Mr. P. Nayak, learned Standing Counsel, Finance Department for the respondent no. 6.

2. The petitioner was awarded a formal supply work order of materials on 16.06.2022 by the respondent no. 5 for the Scheme, 'Erection of Green Fencing at Sericulture Centre, Nayangaon VGR under MGNREGA for the year : 2021-2022' ['the Contract-Work', for short] at an estimated cost of Rs. 14,35,000/-. The petitioner has claimed that he had executed the Contract-Work as per the specifications & plan and estimates; and submitted a bill for an amount of Rs. 12,91,000/-. The petitioner has pointed out that the respondent no. 2 had, initially, raised an objection as regards execution of 'iron fencing' instead of 'green fencing' against the Formal Supply Work Order on 29.11.2023. An enquiry was thereafter, carried out and in an Enquiry Report submitted on 10.02.2024 [Annexure-7], the respondent no. 4 had clarified that the Contract-Work was executed as per specifications provided in the plan and estimates. Subsequently on 08.01.2025, the respondent no. 3 vide an Office Letter of even date [Annexure-8] wrote to the respondent no. 2 regarding execution of the Contract-Work as per specifications & plan and estimates. As the amount of Rs. 12,91,000/- has not yet been disbursed to the petitioner despite repeated approaches and repeated representations, the

petitioner is before this Court by the instant writ petition seeking inter alia a direction to the respondent authorities release the said amount.

3. Issue notice, returnable on 22.04.2026.

4. As Mr. Dutta has appeared and accepted notice on behalf of the respondent nos. 1, 2, 4 & 5; Ms. Das has appeared and accepted notice on behalf of the respondent no. 3; and Mr. Nayak has appeared and accepted notice on behalf of the respondent no. 6, issuance of formal notice to the respondents stand dispensed with. The learned counsel for the petitioner shall serve requisite nos. of extra copies of the writ petition along with annexures, to Mr. Dutta, Ms. Das and Mr. Nayak within 2 [two] working days from today.

JUDGE

Comparing Assistant