

GAHC010059982025



2026:GAU-AS:3280

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

Case No. : WP(C)/1675/2025

DINAMONI HALOI
S/O SRI RAJENDRA NATH HALOI, R/O VILL. AND P.O. BIHAMPUR, P.S.
BELSOR, DIST- NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, COOPERATION DEPARTMENT, DISPUR, GUWAHATI-6

2:THE MANAGING DIRECTOR
HOUSEFED
ASSAM
GUWAHATI-6

3:THE PROJECT ENGINEER
HOUSEFED
ASSAM
GUWAHATI-6

4:THE REGISTRAR OF COOPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI-22

5:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-

For the petitioner : Mr. N. Haque, Advocate

For the respondents : Mr. S. R. Talukdar, SC, Cooperation

BEFORE

HONOURABLE MR. JUSTICE DEVASHIS BARUAH

Date of Hearing : 27.02.2026

Date of Judgment : 27.02.2026

JUDGMENT AND ORDER (ORAL)

The instant writ petition is filed by the petitioner challenging the non-payment of the admitted amount of Rs.10,08,000/- by the Respondent Authorities to the petitioner for the works executed by the petitioner.

2. The case of the petitioner herein is that the petitioner has been allotted the works vide work orders dated 17.06.2015, 02.05.2015 and 07.02.2018 issued by the respondent No.2. The total value of the allotted works was Rs. 1,36,52,000/-. Accordingly, the petitioner completed the allotted works. It is the further case of the petitioner that thereafter Respondent Authorities inspected and verified the works and issued the completion certificate on 08.08.2018 against the works executed by the petitioner. The petitioner was paid Rs. 1,26,44,000/- out of total bill amount of Rs. 1,36,52,000/- wherein Rs. 10,08,000/- remained outstanding which is due to be paid to the petitioner. But no action has been taken by the Respondent Authorities to

release the outstanding bill amount of Rs. 10,08,000/- to the petitioner. Hence, this petition.

3. The learned counsel appearing on behalf of the petitioner submitted that the petitioner has been pursuing the matter diligently with the respondents, but the Respondent Authorities have not shown any interest in making the payment of the admitted amount of Rs. 10,08,000/- due to the petitioner for which the petitioner is facing hardship. The learned counsel for the petitioner further submitted that the Respondent Authorities have failed to discharge their duty in accordance with law and the same has caused prejudice to the petitioner. Hence, the petitioner has approached this Court by filing the instant writ petition.

4. An affidavit-in-opposition has been filed by the respondent No.4, i.e. the Registrar of Co-operative Societies, Assam, Khanapara wherein it is stated that there is a liability of Rs.15,62,447.93 against Paschim Sarukhetri GPSS Ltd. In Barpeta District and all other liabilities with respect to the godowns of Dakshim Dharmapur and Natum Dehar Mouza BSS Ltd. under Nalbari District, Barshilajhar SS Ltd., Dakua SS Ltd. & Sekhar SS Ltd under Udalguri District has been met up and hence the concerned amounts are already released to HOUSEFED. It is further stated in the said affidavit-in-opposition

that the amount would be released to the petitioner upon approval of sanction from the sanctioning authority as well as allotment of funds required from the Government.

5. Upon perusal of the materials on record, and more particularly the affidavit-in-opposition filed by the respondent No.4, it would be seen that the Respondents therefore admit that the petitioner is entitled to the amount of Rs. 10,08,000/-. Accordingly, the writ petition is disposed of with the following observations and directions:-

- i) The petitioner is entitled to the amount of Rs. 10,08,000/- as admitted by the Respondents.
- ii) The said amount of Rs. 10,08,000/- be paid to the petitioner after making such statutory deductions, if so required, within a period of 6 (six) months from the date, a certified copy of 4, i.e. .e. the Registrar of Co-operative Societies, Assam, Khanapara.
- (iii) Any amount so paid during the pendency of the present writ petition towards the dues of the petitioner shall be set off while making payment to the petitioner.

JUDGE