

GAHC010081762024



2025:GAU-AS:13242

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

Case No. : WP(C)/2189/2024

PRANAB DEKA
SON OF SRI LATE PRASANNA KR. DEKA,
RESIDENT OF HN-13A, KAHILIPARA ROAD,
JATIA ASHOK PATH, GUWAHATI- 781006,
ASSAM AND PROPRIETOR OF M/S R.D. TRADERS,
REGISTERED OFFICE AT HATIGAON,
LAKHIMINAGAR, DISPUR,
DISTRICT- KAMRUP(M), GUWAHATI- 781006, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM,
AGRICULTURE DEPARTMENT AND APC, ASSAM,
GUWAHATI- 781006, ASSAM.

2:DIRECTOR OF AGRICULTURE
DIRECTORATE OF AGRICULTURE
GOVERNMENT OF ASSAM
DISPUR
KHANAPARA
GUWAHATI- 781022
ASSAM.

3:ASSAM SEED CORPORATION LIMITED
REPRESENTED BY THE MANAGING DIRECTOR
ASSAM SEEDS CORPORATION LTD.
KHANAPARA
GUWAHATI- 781022
DISTRICT- KAMRUP(M)
ASSAM.

4:FINANCE DEPARTMENT

REPRESENTED BY PRINCIPAL SECRETARY
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI- 781006
ASSAM

For the petitioner : Mr. B. Das, Advocate

For the respondents : Ms. G. Borah, SC, Agriculture

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

Date of Hearing : 24.09.2025

Date of Judgment : 24.09.2025

JUDGMENT AND ORDER (ORAL)

The instant writ petition is filed by the petitioner challenging the non-payment of the contractual bill of Rs.7,58,566/- for the work awarded to the petitioner vide the work order dated 23.11.2020 issued by the Managing Director, Assam Seeds Corporation Ltd. for supplying Summer Hybrid Vegetable Seeds under Food Damage Restoration under Disaster Management, 2020-21 under the terms and conditions mentioned in the said work order.

2. The case of the petitioner herein is that on 09.11.2020, the Director of Agriculture, Directorate of Agriculture, Government of Assam issued an indent to the Managing Director, Assam Seed Corporation Limited for supply of Summer Hybrid Vegetables Seeds under Flood Damage Restoration under Disaster Management, 2020-21. Following this

indent, the Assam Seed Corporation Limited issued a work order dated 23.11.2020 in favour of the petitioner for supplying 480 kits of Hybrid Vegetable Seeds in the district of Tinsukia. The petitioner thereafter supplied the said Hybrid Vegetable Seeds in the district of Tinsukia within the stipulated time and it was acknowledged and admitted by the Branch Manager and District Agricultural Officer, Tinsukia. However, out of the total amount of Rs. 14,20,800/- due to the petitioner, only an amount of Rs. 6,62,234/- has been paid, though the authorities have admitted and verified that the petitioner has completed the entire supply. Despite repeated approaches, the petitioner received no satisfactory explanation from the Respondent Authorities for not making the balance payment of Rs.7,58,566/- for which the present writ petition is filed.

3. The learned counsel appearing on behalf of the petitioner submitted that the petitioner has been pursuing the matter delinquently with the respondents, but the Respondent Authorities have not shown any interest in making the payment of the admitted amount of Rs.7,58,566/- 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. Ms. G. Borah, the learned Standing Counsel appearing on behalf of the Agriculture Department submitted that necessary verification

process is going on as regards the entitlement of the petitioner of an amount of Rs.7,58,566/- and in that regard placed an instruction before this Court which is kept on record and marked with the letter “X”. The said instruction, being relevant, is quoted herein under:-

GOVERNMENT OF ASSAM
DIRECTORATE OF AGRICULTURE ASSAM
Email: agri-dept@nic.in Tel: 03612801100

To:

Ms Geetashree Bora
Standing Counsel
Department Of Agriculture

Sub: Furnishing of updated information in regards to the direction of court order vide case no. WP(C) 2189/2024.

Ref 1: Email received on 6th of September 2025.

Ref 2: Order copy of WP(C) 2189/2024 dtd 08.09.2024 (Pranab Deka Vs the State of Assam & Ors.)

Ref 3: Payment status submitted by ASCL against RD Traders Prop. Pranjal Deka.

Ref 4: No. AGRI/Esstt/2189/2024-25/45 Dated: 06/09/2025

Ma'am,

In compliance with the order dtd 8.09.2024 vide case no WP(C) 2189/2024 along with the basis of the documents submitted by ASCL, Khanapara. Ghy-22, I am to inform you that the verified admitted amount of Rs 7,58,566/- (Seven lakhs fifty eight thousand five hundred sixty six only) will be initiated for payment from the allocated decreed amount of Rs 1172.20 lakh under SOPD earmarked for the year 2025-26 as soon as the receipt of Hon'ble Gauhati High Court payment instruction vide case No WP(C) 2189/2024.

In this connection due to typographical mistake resulting to an erroneous letter issued by NO. Legal Cell. O/o Director Of Agriculture, under reference no AGRI/Esstt/2189/2024-25/45 Dated 06/09/2025 stand cancelled.

This is for your kind information and necessary action.

Yours Faithfully

*Dr. P. Uday Praveen, IAS)
Director of Agriculture
Government of Assam*

5. From a perusal of the above quoted communication which is kept on record and marked with the letter “X”, it is seen that pursuant to the verification, it is an admitted stand that the petitioner is entitled to the amount of Rs. Rs.7,58,566/-.

6. Accordingly, this Court therefore disposes of the instant writ petition with the following observations:

(i) The petitioner is entitled to the amount of Rs.7,58,566/-.

(ii) The Respondent Authorities are directed to make payment of an amount of Rs.7,58,566/- to the petitioner, after making necessary statutory deductions (if required), within a period of six months from the date a certified copy of this order is served upon the respondent No.2, i.e., the Director of Agriculture, Directorate of Agriculture, Government of Assam, Dispur, Assam.

JUDGE

Comparing Assistant