

GAHC010088332026



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

**Case No. : Review.Pet./88/2026**

M/S BORTHAKUR AND ASSOCIATES  
HAVING ITS REGISTERED OFFICE AT SHARMA AND SHARMA MARKET  
(FIRST FLOOR), R.G. BARUAH ROAD, CHANDMARI, REPRESENTED BY AR.  
BUDHIN BORTHAKUR, S/O SRI PADMA BORTHAKUR, R/O 5TH BYE LANE,  
SANTINILOY APARTMENT, ZOO - NARENGI ROAD, BLOCK NO. E-3, P.O.-  
BAMUNIMAIDAM, NEAR GITANAGAR THANA, GUWAHATI- 781021,  
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS.  
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE GOVT. OF  
ASSAM, GUWAHATI DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-6

2:GUWAHATI MUNICIPAL CORPORATION  
REPRESENTED BY THE COMMISSIONER  
PANBAZAR  
GUWAHATI-1.

3:THE CHIEF ENGINEER  
GUWAHATI MUNICIPAL CORPORATION  
PANBAZAR  
GUWAHATI-1.

4:THE EXECUTIVE ENGINEER  
GUWAHATI MUNICIPAL CORPORATION  
PANBAZAR  
GUWAHATI-

**Advocate for the Petitioner** : MR. R GOSWAMI, D GOSWAMI,MR D BHATTACHARYA,DR. N  
BAROOAH

**Advocate for the Respondent : GA, ASSAM, SC, GMC**

**BEFORE  
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**03.06.2026**

Heard Mr. R. Goswami, learned counsel for the review petitioner and Mr. S. Bora, learned Standing Counsel, GMC and GDD for all the respondents.

2. The review petitioner by this review petition seeks to review of an Order dated 17.05.2023 passed in a writ petition, W.P.[C] no. 7244/2019.

3. The review petitioner has projected that it had provided consultancy service for preparation and submission of DPRs in respective of three projects and after completion of the project, it prepared and submitted bills for payment towards consultancy services rendered vide [i] Invoice no. BA/BILL/FM/05/17-18 dated 10.07.2017 for an amount of Rs. 7,07,693/-; [ii] Invoice no. BA/BILL/FM/06/17-18 dated 10.07.2017 for an amount of Rs. 4,71,439/-; and [iii] Invoice no. BA/BILL/GMC/ZOB/03/17-17 dated 07.07.2017 for an amount of Rs. 2,98,703/-. It is stated that in the Invoice no. BA/BILL/FM/06/17-18 dated 10.07.2017, an amount of Rs. 2,79,330/- paid earlier on 09.03.2016 was not included. Similarly, in the Invoice no. BA/BILL/FM/05/17-18 dated 10.07.2017, an amount of Rs. 3,72,475/- paid earlier on 06.09.2014 was not included. Therefore, balance amount which remained to be paid in respect of the three consultancy projects was Rs. 14,77,835/- in total without inclusion of the previously paid amounts of Rs. 3,72,475/- and Rs. 2,79,330/-.

4. However, during hearing on 17.05.2023, the aforesaid facts were not properly projected and as a result, the respondent GMC authorities had taken an impression that the total bill amount was Rs. 14,77,835/- wherein the two amounts of Rs. 3,72,435/- and Rs. 2,79,330/- were included, and on that basis, proceeded to disburse sums of Rs. 6,58,875/- and Rs. 1,67,173/- subsequently as the only remaining amount payable to the review petitioner.

5. Issue notice, returnable on 22.07.2026.

6. As Mr. Bora has appeared and accepted notices on behalf of all the respondents, issuance of formal notice to the respondents is dispensed with. Mr. Goswami shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to Mr. Bora within 2 [two] working days from today.

7. Mr. Bora, learned Standing Counsel, GMC and GDD shall examine on the above aspects highlighted in the review petition and to file affidavit to that effect.

8. List the case on 22.07.2026.

**JUDGE**

**Comparing Assistant**