

GAHC010102502021



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

Case No. : WP(C)/3273/2021

M/S GHOSH INTERNATIONAL
A PARTNERSHIP FIRM DULY REGISTERED UNDER THE INDIAN
PARTNERSHIP ACT, 1932, HAVING ITS PRINCIPAL PLACE OF BUSINESS
AND OFFICE AT BARPETA ROAD, DIST. BARPETA ASSAM, REP. BY ITS
AUTHORIZED PARTNER SRI MITHUN GHOSH, AGE 35 YEARS, S/O NAYAN
CH. GHOSH R/O BARPETA ROAD, SHAKTINAGAR WARD NO. 1 P.O. AND
P.S. BARPETA ROAD, DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM 3 ORS
REP BY ITS COMMISSIONER TO THE GOVT. OF ASSAM SPORTS AND
YOUTH WELFARE DEPTT. DISPUR, GUWAHATI-781006

2:THE DIRECTOR
SPORTS AND YOUTH WELFARE DEPTT. DISPUR
GUWAHATI-781006

3:THE MEMBER SECRETARY STATE LEVEL ADVISORY COMMITTEE
STUDENT AND YOUTH WELFARE ASSAM
RUDRA SINGHA SPORTS COMPLEX DISPUR
GUWAHATI-6

4:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
FINANCE DEPTT. DISPUR
GUWAHATI-

For the Applicant (s) : Ms. M. Das, Advocate

For the Respondent (s) : Ms. U. Das. Addl. Sr. GA

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

17.08.2026

The Petitioner has filed the present writ petition being aggrieved by the non-payment of the contractual dues against the supply order dated 23.02.2016 issued by the Respondent No.3.

2. It is seen that the Respondent No.3 had sent a communication to the Deputy Registrar, Guwahati High Court on 06.03.2026 wherein it is categorically mentioned that the Respondent No.3 duly admits that as per the supply order dated 23.02.2016, the Petitioner supplied the sports goods/kits to all concerned MLAs of 126 Assembly Constituencies for distribution to all District Sports Associations and Clubs of Assam and submitted bills/vouchers etc. to the Respondent No.3 for an amount of Rs.3,94,09,400/- for payment.

3. It is also seen from the very para-wise comments so submitted that an amount of Rs.80,00,000/- has been paid to the Petitioner some time in the year 2017. Subsequent thereto, another demand was submitted by the Respondent No.3 to the tune of Rs.3,16,50,000/-, but while submitting the demand, the Respondent

No.1 vide the communication dated 19.05.2017 informed the Respondent No.3 that an enquiry would be conducted on the utilization of the grant-in-aid fund of Rs.4,00,00,000/- and for the said reason, the amount is pending for payment.

4. It therefore appears from the above that the Respondent No.3 duly admits that the Petitioner had supplied the sports goods/kits to the tune of Rs.3,94,09,400/-. However, it is on account of the Respondent No.2, the amount has not been released. It is also seen that the enquiry which was to be conducted was some time in the year 2017 which is almost a decade. Further to that, even the Respondent Nos.1 & 2 have not filed their affidavits in the present proceedings.

5. On 17.07.2026, when the matter was taken up, this Court asked the learned Government Counsel to obtain necessary instructions. However, in spite of the Government Counsel writing a letter to the Respondent Nos.1 & 2 on 17.07.2026, the Respondent Nos.1 & 2 have not responded.

6. From the above, it therefore transpires that on account of the actions of the Respondent Nos.1 & 2, this Court is not in a position to progress with the present proceedings. The learned Additional Senior Government Advocate submitted that an affidavit on behalf of the Respondent Nos.1 & 2 would be filed within a week.

7. List this matter on 09.09.2026.
8. The Respondent Nos.1 & 2 shall bring on record their stand by filing their affidavit on or before 02.09.2026, failing which this Court shall be constrained to seek the personal appearance of the incumbents who are holding the posts of the Respondent Nos.1 & 2.

JUDGE

Comparing Assistant