

GAHC010106102022



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

Case No. : WP(C)/3685/2022

RUHIT HUSSAIN LASKAR
S/O- ANUWAR HUSSAIN LASKAR
R/O- PHE ROAD, MADHURBOND, PART-I
UTTAR KRISHNAPUR,
P.O AND P.S- SILCHAR
PIN-788001
DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE SECRETARY. TO THE GOVT. OF ASSAM, WATER RESOURCE
DEPTT., DISPUR, GUWAHATI-781006.
ASSAM

2:THE COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GUWAHATI-781006.
ASSAM

3:THE CHIEF ENGINEER
WATER RESOURCE DEPARTMENT
KRISHNA NAGAR
CHANDMARI
GUWAHATI-03
DIST- KAMRUP (M)

4:THE EXECUTIVE ENGINEER
WATER RESOURCE DEPARTMENT
SILCHAR DIVISION

SILCHAR

DIST- CACHAR
ASSAM

5:THE ASSISTANT EXECUTIVE ENGINEER
WATER RESOURCE DEPARTMENT
SILCHAR DIVISION
SILCHAR

DIST- CACHAR
ASSA

Advocate for the Petitioner : MR. I ALAM

Advocate for the Respondent : SC, WATER RESOURCE

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 03.06.2022

Heard Mr. I. Alam, learned counsel for the petitioner; Ms. S. Chutia, learned Standing Counsel, Water Resources Department for the respondent nos. 1, 3, 4 & 5; and Mr. R. Borpujari, learned Standing Counsel, Finance Department for the respondent no. 2.

2. The petitioner in this writ petition has claimed that he had executed 5 [five] nos. of contract works for the respondent authorities in the Water Resources Department after award of work orders by the said respondent Water Resource Department. After execution of the said 5 [five] nos. of contract works, the petitioner submitted the final bills amounting to Rs.15,75,982/- in respect of those 5 [five] nos. of contract works. But the respondent authorities had prepared the final bills for an amount of Rs. 11,25,624/- against the 5 [five] nos. of contract works and out of that amount, an amount of Rs. 2,97,843/- has

been disbursed to the petitioner till date. As per the calculation of the petitioner, an amount of Rs. 12,78,139/- has still remained as outstanding dues to be paid to the petitioner by the respondent Water Resource Department whereas as per the claim of the respondent Water Resource Department, only an amount of Rs. 8,27,781/- has remained outstanding to be paid.

3. Issue notice of motion, returnable in 4 [four] weeks.

4. As Ms. Chutia, learned Standing Counsel, Water Resources Department has appeared and accepted notice on behalf of the respondent nos. 1, 3, 4 & 5; and Mr. Borpujari, learned Standing Counsel, Finance Department has appeared and accepted notice on behalf of the respondent no. 2, no formal notices need to be issued to the said respondents. Mr. Alam, learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to Ms. Chutia and Mr. Borpujari within 2 [two] working days from today.

JUDGE

Comparing Assistant