

GAHC010126672020



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

Case No. : WP(C) 3643/2020

1: BISWAJIT DUTTA
S/O- LT. RATISH CHANDRA DUTTA, R/O- COLLEGE ROAD, P.O. AND P.S.
SILCHAR, DIST.- CACHAR, ASSAM

VERSUS

1: THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMM. AND SPECIAL SECY. TO THE GOVT. OF ASSAM,
PWRD, DISPUR, GHY-6, DIST.- KAMRUP, DISPUR

2: THE CHIEF ENGINEER
PUBLIC WORKS DEPTT. (PMGSY WORKS)
CHANDMARI
GHY
DIST.- KAMRUP

3: THE SUPERINTENDING ENGINEER
PWD ROAD
CACHAR CIRCLE
SILCHAR- 788001
CACHAR
ASSAM

4: THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPTT.
SILCHAR RURAL ROAD DIVISION
PRESENTLY KNOWN AS PWRD SILCHAR AND UDHARBOND
TERRITORIAL ROAD DIVISION
SILCHAR- 788001
DIST.- CACHAR
ASSAM

5: THE EXECUTIVE ENGINEER
PWRD

SONAI AND DHOLAI TERRITORIAL ROAD DIVISION
DHOLAI

6:THE ASSTT. EXECUTIVE ENGINEER
PUBLIC WORKS DEPTT.
SILCHAR RURAL ROAD DIVISION NO. II
PRESENTLY KNOWN AS PWRD UDHARBOND TERRITORIAL ROAD SUB-
DIVISION
UDHARBOND
DIST.- CACHAR
ASSAM

7:THE ASSTT. EXECUTIVE ENGINEER
PWRD DHOLAI TERRITORIAL ROAD SUB-DIVISION
DHOLAI
DIST.- CACHAR
ASSA

Advocate for the Petitioner : MR. I ALAM

Advocate for the Respondent : SC, PWD

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 23-09-2020

Aggrieved by non-payment of the outstanding dues amounting to Rs. 54,80,290/- which is stated to be admitted amount, the present writ petition has been filed seeking a Writ of Mandamus.

Heard Mr. I. Alam, learned counsel for the petitioner.

Mr. P. Nayak, learned Standing Counsel, PWD, Assam, appears and submits that the writ petition is not maintainable on the facts and circumstances of the case. However, having heard the submissions made by the learned counsel for the parties, I am of the view that the departmental counsel should be granted time to obtain instruction in the matter and file affidavit.

Issue notice of motion returnable in six weeks.

Since Mr. Nayak has entered appearance and accepted notice on behalf of all the respondents, no

formal notice is required to be sent in this case. However, extra copies of the writ petition, requisite in numbers, be furnished to the learned Standing Counsel within one week from today, so as to enable him to obtain instruction.

List this case again after six weeks.

JUDGE

Sukhamay

Comparing Assistant