

GAHC010136522018



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

Case No. : WP(C)/4465/2018

M/S. BRAHMAPUTRA ENTERPRISE
FRANCHISEE UNDER APDCL, REP. BY SECY., MR. NAVA KUMAR DEKA,
S/O. SHRI JOYRAM DEKA, R/O. BHAKATPARA, P.O. DOLONGGHAT, DIST.
UDALGURI, BTAD (ASSAM).

VERSUS

ASSAM POWER DISTRIBUTION COMPANY LTD. (APDCL) AND 5 ORS.
REP. BY ITS MANAGING DIRECTOR, BIJULEE BHAWAN, PALTANBAZAR,
GHY-1, DIST. KAMRUP(M), ASSAM.

2:THE CGM(D)
ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL) (LAR)
BIJULEE BHAWAN
PALTANBAZAR
GHY-1
DIST. KAMRUP(M)
ASSAM.

3:THE GENERAL MANAGER (COMMERCIAL AND REVENUE)

BIJULEE BHAWAN
PALTANBAZAR
GUWAHATI
DIST. KAMRUP(M)
ASSAM.

4:THE AGM
UDALGURI ELECTRICAL DIVISION
APDCL(LAR)
UDALGURI
ASSAM.

5:THE SDE

TANGLA ELECTRICAL SUB-DIVISION
APDCL (LAR)
UDALGURI
ASSAM.

6:THE DEPUTY GENERAL MANAGER
MANGALDOI ELECTRICAL CIRCLE
APDCL
MANGALDOI
DARRANG
ASSAM

Advocate for the Petitioner : MR. R SARMA,

Advocate for the Respondent : SC, APDCL,

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

05.05.2025

No one appears for the petitioner on call, while Mr. B. Das, learned counsel appears for the APDCL.

The petitioner had approached this Court earlier by way of WP(C) 5985/2014, challenging the rejection of the petitioner's claim for payment of contractual dues. WP(C) 5985/2014 was disposed of vide order dated 12.05.2017, by giving opportunity to the petitioner to submit a detailed representation before the respondent no.3, who was to consider and take a decision on the petitioner's representation, by passing a Speaking Order. The respondent no.3 thereafter issued the impugned Speaking Order dated 06.09.2017, rejecting the petitioner's representation, by holding that the

petitioner was unable to substantiate his claim with any documentary evidence, amongst other reasons.

The petitioner's prayer for review of the impugned Speaking Order dated 06.09.2017 was also rejected vide letter dated 18.11.2017 issued by the respondent no.3.

This Court had sent the matter for mediation on 06.08.2018. However, as per the report of the Mediator on 13.09.2018, the petitioner did not appear in the Mediation and the APDCL had stated that it was not willing to settle the dispute in Mediation.

On considering the Speaking Order dated 06.09.2017, there appears to be disputed questions of fact.

However, the matter be listed again after 4 (four) weeks in the interest of justice.

JUDGE

Comparing Assistant