

GAHC010145982025



undefined

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

Case No. : WP(C)/4054/2025

SRI TAPASH KUMAR RAY CHOUDHURY
S/O LATE S.KR. ROY CHOUDHURY, RESIDENT OF AMBIAGIRI NAGAR,
GUWAHATI, P.O. ZOO-ROAD, KAMRUP(M), ASSAM. PIN-781024

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE COMMISSIONER, SECRETARY TO THE
GOVERNMENT OF ASSAM, PUBLIC WORKS DEPARTMENT, JANATA
BHAWAN, DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
JANATA BHAWAN
DISPUR
GUWAHATI-781006
ASSAM

3:THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT (BORDER ROADS) ASSAM
CHANDMARI
GUWAHATI-781003.

4:THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT (PWD)
HAJO SAULKUCHI TERRITORIAL ROAD DIVISION
AMINGAON
GUWAHATI-31

5:THE ASSISTANT EXECUTIVE ENGINEER
PWRD

HAJO TERRITORIAL ROAD SUB-DIVISION
HAJO
KAMRUP
ASSAM
PIN-78110

For the Petitioner(s) : Ms. D. Musahary, Advocate
For the Respondent(s) : Mr. R. Dhar, SC, PWD
: Mr. R. Borpujari, SC, Finance

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 25.07.2025

Issue notice making it returnable by 01.08.2025.

2. Mr. R. Dhar, the learned Standing counsel appears on behalf of the respondent Nos. 1, 3, 4 & 5 and Mr. R. Borpujari, the learned Standing counsel appears on behalf of the respondent No.2 and accepts notice.
3. As the respondent Nos. 1 to 5 are duly represented, extra copies of the writ petition be served upon them during the course of the day.
4. The petitioner herein is aggrieved by the action on the part of the respondent authorities in not releasing the performance security deposit i.e. the earnest money deposit amounting to Rs.4,41,500/- as well as the security deposit totaling to Rs.7,94,532/- in spite of the fact that the petitioner had completed the work to the due satisfaction of the respondent authorities.
5. Mr. R. Dhar, the learned Standing counsel appearing on behalf of the PWD shall obtain instructions and place it positively on the next date as

to why the earnest money deposit as well as the security deposit referred to hereinabove have not been returned to the petitioner.

6. List accordingly.

JUDGE

Comparing Assistant