

GAHC010157902024



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

Case No. : WP(C)/3938/2024

NIRMAL MUKHERJEE
S/O- LATE BANKIM CHANDRA MUKHERJEE,
R/O- 149A/4 SWINHOE LANE, KASBA, KOLKATA, DIST- KOLKATA, WEST
BENGAL, PIN-700042

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM, GENERAL ADMINISTRATION DEPARTMENT
DISPUR, GUWAHATI-6.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF ASSAM
GENERAL ADMINISTRATION DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE PRINCIPAL SECRETARY
TO THE HONBLE CHIEF MINISTER
GOVT. OF ASSAM
DISPUR
GUWAHATI-06

4:THE JOINT RESIDENT COMMISSIONER
/THE TRADE ADVISOR AND DIRECTOR OF MOVEMENTS
GOVT. OF ASSAM
ASSAM
BHAWAN
SALT LAKE
BLOCK-LA
PLOT-8

SECTOR-III
KOLKATA-06
WEST BENGAL

5:THE CHIEF ENGINEER PWD
GUWAHATI BUILDING DIVISION-I
CHANDMARI
GUWAHATI-03
ASSAM

6:THE EXECUTIVE ENGINEER PWD
GUWAHATI BUILDING DIVISION-I
CHANDMARI
GUWAHATI-03
ASSA

Advocate for the Petitioner : MR. D J KAPIL, MR. M NATH,D J CHAKMA,MR. A BHATTACHARJEE

Advocate for the Respondent : SC, PWD, GA, ASSAM,SC, GAD

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : --13.03.2026

Heard Mr. M. Nath, learned Senior Counsel assisted by Mr. A. Bhattacharjee, learned counsel for the petitioner and Mr. B. Gogoi, learned Additional Advocate General, Assam for the State respondents.

2. On the previous date of listing, 20.02.2026, in deference to the Order dated 09.02.2026, Mr. Gogoi, learned Additional Advocate General, Assam had placed a Letter dated 19.02.2026 [marked and kept as Document-'X'] addressed to the Chief Engineer, PWD [Bldg], Assam by the Executive Engineer, PWD Medical College & Hospital Construction Division, Guwahati. As per the contents of the letter, it transpired that the documents related to the work done for sewerage and water connection had already been submitted by the petitioner and after verification at site, the documents were found to be in order. In respect of the matter related to fixation of property tax, the matter was to be examined by the Joint

Resident Commissioner, Assam Bhawan, Calcutta. It was after such examination, further course of action towards payment to the petitioner was to be decided.

3. The writ petition has been preferred by the petitioner making a claim for a sum of Rs. 16,31,795/-. The petitioner has claimed this amount for works executed for extending consultancy services, etc. in connection with the Additional Assam Bhawan, Salt Lake, Kolkata. Upon institution of the writ petition, the respondents were put to notice on 07.08.2024. Though no response in the form of counter affidavit has been filed on behalf of the State respondents till date, instructions are being placed from time to time indicating the progress made for consideration of the claim made by the petitioner. From the instructions placed from time to time since after 07.08.2024 only conclusion that is possible to be drawn is that the progress made so far is tardy. The buck seems to have been transferred from one authority to another and as a result, the claim made by the petitioner is still under consideration.

4. The instruction placed before the Court today in the form of an Office Letter no. GAD-294984/318 dated 10.03.2026 from the Additional Secretary to the Govt. of Assam, GAD to the Chief Engineer, PWD [Bldg] is in reference to a Letter of the Chief Engineer, PWD [Bldg] bearing no. MISC/1042/6256 dated 08.07.2025. A number of deliberations were held after 08.07.2025.

5. In the above view of the matter, the respondent authorities shall place instruction before the Court on the next date specifying a definite time within which the entire process as regards the claim made by the petitioner can be brought to a conclusion and to disburse the amount, found due, to the petitioner.

6. List the case on 30.03.2026.

JUDGE

Comparing Assistant