

GAHC010165132022



2026:GAU-AS:5427

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

Case No. : WP(C)/5487/2022

ROHUL AMIN AKAND
S/O- LATE AHMAD ALI AKAND ,
VILL- SATIPUR,
P.O AND P.S- DHALIGAON,
DIST- CHIRANG (BTAD), ASSAM

VERSUS

THE INDIAN OIL CORPORATION LTD AND 4 ORS
HAVING ITS REGD. OFFICE AT IOCL-BGR, DHALIGAON, CHIRANG (BTAD),
ASSAM, PIN-783385

2:THE GENERAL MANAGER
IN CHARGE (CGM
I/C) IOCL-BGR
DHALIGAON
CHIRANG (BTAD)
ASSAM
PIN-783385

3:THE GENERAL MANAGER (T)
IOCL-BGR
DHALIGAON
CHIRANG (BTAD)
ASSAM
PIN-783385

4:THE GENERAL MANAGER (HR)
IOCL-BGR
DHALIGAON
DIST-CHIRANG (BTAD)
ASSAM

PIN-783385

5:THE DEPUTY GENERAL MANAGER (MAINTENANCE)
IOCL-BGR
DHALIGAON

DIST-CHIRANG (BTAD)
ASSAM
PIN-78338

BEFORE

HON'BLE MR. JUSTICE DEVASHIS BARUAH

For the Petitioner(s) : Mr. A.M. Khan, Advocate

For the Respondent(s) : Ms. R.R. Kakati, Standing Counsel

- Date on which Judgment was reserved : N/A
- Date of Pronouncement of Judgment : **20.04.2026**
- Whether the pronouncement is of the Operative Part of the Judgment : No
- Whether the full Judgment has been Pronounced : Yes

JUDGMENT AND ORDER (ORAL)

Heard Mr. A.M. Khan, the learned counsel appearing on behalf of the Petitioner. Ms. R.R. Kakati, the learned Standing Counsel appears on behalf of the respondent IOCL.

2. The instant writ petition has been filed by the Petitioner challenging the non-payment of the contractual bill amounting to Rs. 58,85,000/- for the work awarded to him pursuant to an online

tender for the work namely, "ARC repair and maintenance of buildings in Township" having an estimated contract value of Rs. 1,86,92,882.84p. Accordingly, interested bidders including the Petitioner, submitted their applications, and upon completion of the tender process, the Petitioner was awarded the said work vide Work Order No. 24176296 dated 11.06.2014.

2. The case of the Petitioner herein is that the Petitioner completed the said work within the stipulated time and the same was completed on 30.11.2015 in terms of the conditions of the contract. Thereafter, the Petitioner submitted the final bill in respect of the aforesaid work before the appropriate authority. The Petitioner claims an amount of Rs. 21,00,000/- towards the final bill, Rs. 16,00,000/- as due amount which was held up, Rs. 17,20,000/- towards retention money, and Rs. 4,65,000/- towards security deposit, all of which are payable to the Petitioner. Altogether, an amount of Rs. 58,85,000/- remains unpaid in respect to the said work.

3. It is the further case of the Petitioner that upon approaching the Competent Authority on several occasions for release of the entitled amount, the Petitioner was repeatedly assured that payment would be made, however, no payment was made. The

Petitioner also submitted representations and subsequent reminders dated 22.02.2018 and 09.03.2018 as well as a further representation dated 11.01.2021 before the concerned authority seeking release of the pending contractual dues. However, no action has been taken in this regard. Consequently, finding no other alternatives, the Petitioner has approached this Court by way of the instant writ petition.

4. Ms. R.R. Kakati, the learned Standing Counsel, IOCL submitted that the entitlement of the Petitioner would depend upon verification to be carried out by the Respondent Authorities.

5. Upon perusal of the materials on record, this Court is of the opinion that if the Petitioner had completed the above-mentioned work as per the terms and conditions agreed upon, the Petitioner should be paid the amount to which the Petitioner is entitled to. However, for the same, verification on the part of the Respondent Authorities would be required.

6. This Court, therefore, disposes of the instant writ petition with the following observations and directions:-

i) The Respondent Authorities shall verify as to whether the Petitioner had successfully executed the work, i.e. "ARC repair and

maintenance of buildings in Township”.

ii) The Respondent Authorities shall also verify as to whether the Petitioner had submitted the requisite documents which are required for the purpose of releasing the amount due as claimed by the Petitioner.

iii) The Respondent Authorities shall also verify the entitlement of the Petitioner to the dues, and if upon verification in the manner stated above, it is found that the Petitioner is entitled to any such amount, the Respondent Authorities shall pay the same to the Petitioner.

iv) The above exercise be completed within a period of 3 (three) months from the date a certified copy of the instant judgment is served upon the Respondent No.2, i.e. The General Manager, In-charge, (CGM, i/c) IOCL-BGR, Dhaligaon.

JUDGE

Comparing Assistant