

GAHC010177992020



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

**Case No. : WP(C)/5296/2020**

M/S DEVI UDYOG  
A SMALL SCALE INDUSTRY REGD. UNDER THE PROVISIONS OF  
FACTORIES ACT, 1948, UNDER GOVT. OF ASSAM AND HAVING ITS OFFICE  
AT 3RD FLOOR, KUSHAN PLAZA, MUKESH HYUNDAI SHOWROOM  
BUILDING, GANESHGURI, DISPUR, GHY, ASSAM- 781006, AND ONE MORE  
OFFICE AT LOCATED AT SETHI TRUST BUILDING, UNIT II, 8TH FLOOR,  
NEAR SBI (GMC BRANCH), BHANGAGARH, GHY-03, ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS  
REP. BY THE COMM. AND SECY. PANCHAYAT AND RURAL DEVELOPMENT  
DEPTT., ASSAM, DISPUR, GHY-6

2:COMM. AND SECY. TO THE GOVT. OF ASSAM  
FINANCE DEPTT.  
DISPUR  
GHY-6

3:COMM. AND SECY. TO THE GOVT. OF ASSAM  
PERSONNEL (B) DEPTT.  
DISPUR  
GHY-06

4:DIRECTOR  
PANCHAYAT AND RURAL DEVELOPMENT  
ASSAM  
PANJABARI  
GHY-06

5:THE ADDL. CHIEF SECRETARY  
GUWAHATI DEV

URBAN DEV AND PANCHAYAT AND RURAL DEVELOPMENT DEPTT.  
ASSAM

6:THE PROJECT DIRECTOR  
DRDA AND AUTHORISED SIGNATORY OF DPC  
DARRANG  
MANGALDOI

7:THE JOINT DIRECTOR AND STATE NODAL OFFICE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.

8:THE DY. COMMISSIONER  
DARRANG  
MANGALDOI  
ASSA

**Advocate for the Petitioner** : MS. M L GOPE

**Advocate for the Respondent** : SC, PNRD

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date** : 14-12-2020

Heard Ms. N. Gogoi, learned counsel appearing for the writ petitioner.

Aggrieved by non-payment of contractual dues which are stated to be admitted amount, the petitioner has approached this Court by filing the instant writ petition seeking a writ of mandamus.

Issue notice returnable in 06 weeks.

Mr. A. Roy, learned standing counsel, P&RD Department, Assam has accepted notice on behalf of respondent Nos. 1, 4, 6 and 7, Ms. M. Bhattacharjee, learned Govt. Advocate, Assam has accepted notice on behalf of respondent Nos. 3 and 8 and Mr. A. Chaliha,

learned standing counsel, Finance Department, Assam has accepted notice on behalf of respondent No. 2.

It is submitted by the learned Govt. Advocate, Assam that the respondent No. 5 is a non-existent entity and therefore, no notice be issued to the said respondent.

In view of the above, service of notice is deemed to be complete in this case

However, extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel, so as to enable them to obtain instruction.

It is made clear that pendency of this writ petition shall not be a bar for the respondents to redress the grievance of the petitioner, in accordance with law, if so advised.

**JUDGE**

GS

**Comparing Assistant**