

GAHC010184722024



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

Case No. : WP(C)/4985/2024

MD MUSLIM ALI
R/O SUNDARBARI, HOUSE NO. 29,
P.O AND P.S. JALUKBARI,
DIST. KAMRUP (M), ASSAM, PIN NO.781013

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM, PUBLIC WORK (ROADS) DEPARTMENT,
DISPUR, GUWAHATI, ASSAM

2:THE PRINCIPAL SECRETARY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR ASSAM

3:THE JOINT SECRETARY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR ASSAM

4:THE ADDITIONAL CHIEF ENGINEER
PWD BTC KOKRAJHAR ASSAM

5:THE DIRECTOR-CUM-CHD
PWD BTC KOKRAJHAR ASSAM

6:THE SUPERINTENDENTED ENGINEER
PWD((R AND B) CIRCLE
BTC KOKRAJHAR ASSAM

7:THE EXECUTIVE ENGINEER
PWD MUSHALPUR (R AND B) DIVISION
MUSHALPUR

Advocate for the Petitioner : MRS A BUJARBARUAH, MS A.SARMA

Advocate for the Respondent : SC, PWD, SC, BTC

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 27.09.2024

Heard Ms. A. Sarma, learned counsel for the petitioner, who submits that the petitioner's earlier writ petition, i.e. WP(C) 3586/2020, for payment of contractual dues, had been disposed of, vide order dated 08.04.2021, with a direction to the respondents to consider the case of the petitioner and to pay the petitioner the admitted amount. The petitioner's counsel submits that as the order has not been complied with, the petitioner filed Cont.Cas(C) No. 52/2022 and the same was disposed of on 01.03.2024, on the submission made by the petitioner and the respondent's counsel, to the effect that the order dated 08.04.2021 passed in WP(C) 3586/2020 had been complied with.

2. Learned counsel for the petitioner submits that till date, the petitioner has not been paid the admitted amount of Rs. 49,84,572/-.

3. Mr. R. K. Muchahary, learned counsel for the BTC submits that the BTC authority has prepared a list of contractors to whom the BTC has to pay their outstanding dues and the petitioner's name is at Serial No. 76 of the said list. He submits that payment to the petitioner shall be made, as the petitioner's name is in the list.

4. Mr. R. K. Muchahary, learned counsel for the BTC shall obtain instructions as to when the said list was prepared by the BTC and whether the names of

those persons, who are at Serial Nos. 1 to 5, have been paid their contractual dues.

5. List this matter after the ensuing Puja Vacation.

6. Failure on the part of the BTC counsel to obtain instructions by the next date of listing may require the concerned respondents to appear virtually before this Court.

JUDGE

Comparing Assistant