

GAHC010201882016



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

**Case No. : Cont.Cas(C)/57/2016**

J.K.B. ENTERPRISE  
FORMARLY A PARTNERSHIP FIRM, PRESENTLY A PROPRIETORIAL  
CONCERN, HAVING ITS OFFICE AT A.T. ROAD, DIBRUGARH, REP. BY ITS  
PROPRIETOR SRI KUSH KUMAR YADAV, S/O LT. JOYGOBIND YADAV, R/O  
KHALIHAMARI, DIBRUGARH, ASSAM

VERSUS

JYOTY NARAIN SHARMA and ORS  
SECY. TO THE GOVT. OF ASSAM, PWD DEPTT., DISPUR, GUWAHATI

2:K C HAZARIKA  
CHIEF ENGINEER  
PWD ROADS  
CHANDMARI  
GUWAHATI

3:RAJ KAMAL DUTTA  
ADDL. CHIEF ENGINEER  
PWD ROADS  
CHANDMARI  
GUWAHATI

4:KAMLESWAR DEKA  
THE EXECUTIVE ENGINEER  
PWD DIBRUGARH ROADS DIVISION  
DIBRUGARH

5:SRI AJIT KAKOTI  
SECRETARY TO THE GOVERNMENT OF ASSAM  
PWD DEPARTMENT  
DISPUR

ASSAM.

6:SHRI DIBYAJYOTI SAHARIA  
THE CHIEF ENGINEER  
PWD  
ROADS CHANDMARI  
GUWAHATI  
ASSAM.

7:SHRI SANJIV SHYAM  
CHIEF ENGINEER  
PWD (ROADS)  
ASSAM  
CHANDMARI  
GUWAHATI  
ASSAM-781003

**Advocate for the Petitioner** : MR.A CHETIA, MD.ASLAM,MR.D SENAPATI,MR.G N SAHEWALLA,MRS.S S BAWARI

**Advocate for the Respondent** : MR. T C CHUTIA (R6), MR D K ROY (R6),MS. N DAS (R6),MS. I KAKATI (R6)

**BEFORE**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**Date : 17.02.2026**

1. Heard the learned counsel for the petitioner.
2. By order dated 30.08.2012 passed by this Court in WP(C) No. 1651/2011, the claim of the petitioner for unpaid due for execution of contractual works amounting to Rs. 15,81,678/- was directed to be paid in terms of the Full Bench decision in **Tamsher Ali –Vs- State of Assam** reported in **2008 (4) GLT 1**.
3. This contempt petition is pending for more than 10 years.
4. What was required to be done by the respondents was to verify the

claim of the petitioner and to pay in the seriatim.

5. From the order dated 25.09.2019 passed by a Coordinate Bench, in the present procedure, what is reflected is that the authorities sought further four weeks time inasmuch as a demand proposal amounting to Rs. 11,49,243/- had already been placed before the Government. Thereafter, on 25.11.2019, further four weeks time was granted for compliance of the said order dated 30.08.2012 (supra).
6. The stage of compliance is at the same stage as on date, contends the learned counsel for the petitioner.
7. In the aforesaid backdrop, this Court has requested Mr. D. Nath, learned Standing Counsel for the PWD, to complete his instruction as regards status of compliance of order dated 30.08.2012 (supra) and/or status of payment to the petitioner in terms of order dated 30.08.2012 (supra).
8. Two copies of the contempt petition be furnished to Mr. D. Nath, learned Standing Counsel for the PWD.
9. The Registry to reflect the name of Mr. D. Nath, learned Standing Counsel for the PWD, in the cause list.
10. List this matter again on 05.03.2026.

**JUDGE**

**Comparing Assistant**