

GAHC010252572025



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

Case No. : WP(C)/6659/2025

M/S UCN CONSTRUCTION CO. PVT. LIMITED
A PRIVATE LIMITED COMPANY REGISTERED UNDER THE COMPANIES
ACT, 1956 HAVING ITS REGISTERED OFFICE AT R. K PATH, ITACHALI,
NAGAON, ASSAM- 782001, REPRESENTED BY ITS MANAGING DIRECTOR,
PIYUSH KUMAR NAHATA, AGED ABOUT 42 YEARS, S/O SRI MANAK
CHAND NAHATA, RESIDENT OF R.K. PATH, ITACHALI, PIN- 782003.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SPECIAL SECRETARY,
PUBLIC WORKS DEPARTMENT, GOVERNMENT OF ASSAM, ASSAM
SACHIVALAYA, DISPUR, P.O - ASSAM SACHIVALAYA, DISTRICT- KAMRUP
METRO, ASSAM, GUWAHATI-781006.

2:THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT (BUILDING)
CHANDMARI
GUWAHATI-781003
DISTRICT- KAMRUP METRO
ASSAM

3:THE EXECUTIVE ENGINEER
PW (B AND NH) DEPARTMENT
JORHAT DISTRICT TERRITORIAL BUILDING DIVISION
JORHAT.

4:THE DIRECTOR
DIRECTORATE OF PRINTING AND STATIONARY
ASSAM
BAMUNIMADAM
GUWAHATI-21.

5:THE COMMISSIONER AND SECRETARY
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006

For the Petitioner(s) : Mr. B. D. Das, Sr. Advocate,
Mrs. R. Deka, Advocate

For the Respondent(s) : Mr. B. Gogoi, Additional
Advocate General

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : **26.11.2025**

- 1.** Heard Mr. B. D. Das, the learned senior counsel assisted by Mrs. R. Deka, the learned counsel for the petitioner. Also heard Mr. B. Gogoi, the learned Additional Advocate General for the respondents.
- 2.** Issue notice making it returnable on 03.12.2025.
- 3.** Mr. B. Gogoi, the learned Additional Advocate General accepts notice on behalf of all the respondents.
- 4.** Extra copies of the writ petition be served upon him during the course of the day.
- 5.** The petitioner herein has approached this court seeking a direction that the respondents should make payment of the amount of Rs. 30,47,061/- to which the petitioner is entitled to as per the admission made by the respondents in the various

communications.

- 6.** In addition to that, the learned senior counsel appearing on behalf of the petitioner has further submitted that the petitioner was granted a contract for construction of the Assam Government Press at Titabor but on account of non-availability of the approach road, which is also an admitted fact, the construction could only be completed to the extent of 27%. Subsequently, on 11.09.2024, the petitioner was asked to complete the work thereby informing the petitioner that all-weather approach road have already been constructed.
- 7.** The record further reveals that after one year, on 10.09.2025, the petitioner wrote a letter to the respondents asking them to pay the amount of Rs. 30,47,061/- and further to enhance the rates at which the petitioner was allotted the contract.
- 8.** Mr. B. Gogoi, the learned Additional Advocate General appearing on behalf of the respondents submitted that these aspects ought to be dealt with in terms with the contractual conditions, more particularly, Clauses 24 and 25 of the General Conditions of the Contract (GCC), and as such, this Court may not entertain the instant writ petition.
- 9.** Mr. B. D. Das, the learned senior counsel submits that on 11.09.2025, the petitioner had written a communication, but the respondents had not responded, and as such, there is no dispute for the petitioner to go in terms with Clauses 24 and 25 of the GCC.

- 10.** Mr. B. Gogoi, the learned Additional Advocate General shall apprise this court on the next date as to what steps have been taken by the respondents in pursuance to the communication dated 11.09.2025 submitted by the petitioner.
- 11.** List accordingly.

JUDGE

Comparing Assistant