

GAHC010285302025



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

Case No. : WP(C)/151/2026

M/S M.P. AGARWALLA AND ANR
REPRESENTED BY SRI VENUS AGARWALLA, S/O- SRI BINOD KUMAR
AGARWALLA, AGED ABOUT 42 YEARS, HAVING REGISTERED OFFICE AT
WARD NO 2, A T ROAD BOKAKHAT TOWN, P.O. BOKAKHAT, P.S.
BOKAKHAT, DIST GOLAGHAT, ASSAM, PIN- 785612

2: SRI VENUS AGARWALLA
S/O- SRI BINOD KUMAR AGAWALLA
AGED ABOUT 42 YEARS
ONE OF THE PARTNER OF M/S M.P. AGARWALLA
R/O WARD NO. 2
A T ROAD BOKAKHAT TOWN
P.O. BOKAKHAT
P.S.- BOKAKHAT
DIST GOLAGHAT
ASSAM
PIN 78561

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, IRRIGATION DEPARTMENT, ASSAM SECRETARIAT, DISPUR,
GUWAHATI- 781006

2: THE CHIEF ENGINEER
IRRIGATION
ASSAM
CHANDMARI
GUWAHATI 781003

3: THE SUPERINTENDING ENGINEER
JORHAT CIRCLE (IRRIGATION)
JORHAT

DIST. JORHAT
ASSAM
PIN- 785001

4:THE EXECUTIVE ENGINEER
BOKAKHAT KHUMTAI-DERGAON DIVISION (IRRIGATION)
BOKAKHAT
DIST. GOLAGHAT
ASSAM
PIN 785612

5:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF FINANCE
ASSAM CIVIL SECRETARIAT
DISPUR
GUWAHATI- 78100

Advocate for the Petitioner : MR. S SUTRADHAR,

Advocate for the Respondent : SC, FINANCE DEPTT., SC, IRRIGATION

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

09.01.2026

Heard Shri S. Sutradhar, learned counsel for the petitioners, who have approached this Court for release of contractual bills.

Shri N. Upadhyay, learned Standing Counsel, Irrigation Department has however pointed out that the requirement laid down by the Full Bench of this Court in the case of ***Tamsher Ali & Ors. Vs. State of Assam and Ors.***, reported in ***2008 (4) GLT 1*** have not been fulfilled and there is no acknowledgement of liability.

At this stage, Shri Sutradhar, learned counsel for the petitioners prays for and is granted time to take appropriate instructions and file additional

pleadings, if so advised.

The matter is accordingly adjourned to be listed on 09.02.2026.

Shri M. Bhuyan, learned counsel is present for the Finance Department.

JUDGE

Comparing Assistant