

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 MANISH CHOUDHURY

ORDER

Date : --18.03.2026

Heard Mr. S. Sutradhar, learned counsel for the petitioners; Mr. N. Upadhyaya, learned Standing Counsel, Irrigation Department for the respondent nos. 1-4; and Mr. P. Nayak, learned Standing Counsel, Finance Department for the respondent no. 5.

2. The petitioner has approached this Court stating inter-alia that he had executed a contract-work awarded vide Work Order no. JC[I]/Tech/ORD/NABARD/2023/1981 dated 18.07.2023. The petitioner has stated that after issuance of the Work Order, he had executed the contract-work to the extent of 100% and thereafter, submitted a final bill for an amount of Rs. 1,36,51,634/-. In support of its claim, the petitioner has drawn support from an Admission of Liability Statement issued by the respondent no. 2 on 20.02.2026.

3. Mr. Upadhyaya, learned Standing Counsel, Irrigation Department has submitted that he

needs some time to obtain instruction including on the aspect of the Admission of Liability Statement issued by the respondent no. 2.

4. Issue notice, returnable on 04.05.2026.

5. As Mr. Upadhyaya, learned Standing Counsel, Irrigation Department has appeared and accepted notices for the respondent nos. 1-4; and Mr. Nayak, learned Standing Counsel, Finance Department has appeared and accepted notice for the respondent no. 5, formal notices need not be issued to the said respondents. Mr. Sutradhar, learned counsel for the petitioners shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to Mr. Upadhaya and Mr. Nayak, within 2 [two] working days from today.

6. The learned Standing Counsel, Irrigation Department shall ensure to obtain the necessary instruction and to file the counter affidavit before the returnable date.

JUDGE

Comparing Assistant