

GAHC030003002025



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

Case No. : W.P.(Crl.)/2/2025

Sh. Lalmuanawma Mathipi
S/o M. Matha
Proprietor of M/s Allied Concern Consultancy Firm
Dawrpui, Aizawl

VERSUS

The State of Mizoram and 5 Ors.
R/b the Chief Secretary
Vigilance Department, Mizoram 2:The Director
Anti-Corruption Bureau (ACB)
Mizoram
Aizawl

3:The Superintendent of Police
Anti-Corruption Bureau (ACB)
Mizoram
Aizawl

4:The Mizoram Lokayukta
R/b the Chairperson
Mizoram
Aizawl

5:The State of Mizoram
R/b the Secretary to the Govt. of Mizoram
School Education Department
Mizoram
Aizawl

6:The Director
School Education Department
Mizoram
Aizawl

Advocate for the Petitioner : Ms. Jacinta Zothanmawii

Advocate for the Respondent : P.P./Addl.PP, Mizoram for R1 - R3 and R5, R6

B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
ORDER

23.05.2025

Heard Ms. Jacinta Zothanmawii, learned counsel for the petitioner, who has filed the instant petition under Article 226 of the Constitution of India, challenging the legality of the Order dated 02.07.2024 passed by the Court of Special Judge, PC Act, Aizawl in Criminal Misc. Appln. No. 19 of 2024 arising out of ACB PS Case No. 1/2024 dated 11.03.2024 as the learned Special Judge had freezed and directed not to release the Security Deposit of 2.5% from the running bill amounting to Rs. 87,49,893/- (Rupees eighty seven lakhs forty nine thousand eight hundred and ninety three) in respect of the works under NABARD RIDF XXIV till finalization of the case which is pending in the Court. The learned counsel also submits that even though the impugned order had mentioned only NABARD RIDF XXIV, however, the works under NABARD RIDF XXV has also been freezed.

The learned counsel further submits that the completion certificate for the works done by the petitioner was also issued on 16.11.2022 and therefore, in terms of the tender documents at para 212, she is entitled to collect the 2.5% deposited by her as Security Deposit from the running

bill.

Issue notice to the respondents.

Ms. Vanneihsiami accepts notice on behalf of respondent Nos. 1 to 3, 5 & 6. Notice be issued to respondent No. 4 through registered post with A/D card within 3 days, returnable by 3 weeks.

List the matter **after 3 (three) weeks.**

JUDGE

Comparing Assistant