

GAHC030004532022



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

**Case No. : PIL/13/2022**

SH. ZOMUANPUIA  
R/O VENGLAI EAST KOLASIB DISTRICT, MIZORAM

VERSUS

1: M/S SADGURU ENGINEERS AND ALLIED SERVICES, PVT. LTD. AND 5  
ORS R/B MUKESH JALAN, DIRECTOR, 406, HANUMAN TOWER, 4TH  
FLOOR, SATI JAYMATI ROAD, ATHGAON GAUHATI - 781001

2: THE STATE OF MIZORAM R/B THE SECRETARY PUBLIC WORKS  
DEPARTMENT MIZORAM AIZAWL

3: THE ENGINEER-IN-CHIEF  
PUBLIC WORKS DEPARTMENT MIZORAM AIZAWL

4: THE CHIEF ENGINEER (ROADS)  
PUBLIC WORKS DEPARTMENT TUIKHUAHTLANG AIZAWL

5: THE SUPERINTENDING ENGINEER PUBLIC WORKS DEPARTMENT  
WESTERN CIRCLE KAWRTHAH DIVISION MAMIT DISTRICT MIZORAM

**For the Petitioner(s)** : Ms. Rosalynn L. Hmar, Advocate.

**For the Respondent(s)** : Mr. Samuel Vanlalhriata, Advocate for the private respondents.

**– B E F O R E –**

**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**17.05.2024**  
**(Vijay Bishnoi, CJ)**

On 14.03.2024, this Court, taking note of the affidavit filed on behalf of the private respondent No.1, has observed that in the affidavit there is no

statement or averment which is made to show that on what basis percentage of 61% has been arrived by the contractor and there is no averment as to when the work is likely to be completed as per their assessment.

The affidavit was not filed within the stipulated time and on 01.05.2024, the counsel for the respondent No.1 has further sought time to file affidavit in terms of the order dated 14.03.2024.

Till date, no such affidavit is filed. On the other hand, the counsel for the respondent No.1 is trying to justify that in the earlier affidavit, the details have already been given.

Once this Court, while taking note of the earlier affidavit filed on behalf of the respondent No.1, has made a specific observation that relevant particulars are not there in the affidavit, the attempt on the part of the counsel for the respondent No.1 to justify that the particulars are there, is not appreciable.

However, in the interest of justice, 2(two) weeks last opportunity is granted to the counsel for the respondent No.1 to file affidavit in terms of the order dated 14.03.2024, subject to the condition that the respondent No.1 shall deposit a cost of Rs.10,000/- (Rupees Ten Thousand) with the Mizoram State Legal Services Authority. The affidavit, in terms of the order dated 14.03.2024, shall not be entertained unless the proof of deposit of the said cost is furnished.

List after 2(two) weeks.

**JUDGE**

**CHIEF JUSTICE**