

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

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
Mizora

Advocate for the Petitioner : Ms. Rosalynn L Hmar

Advocate for the Respondent : Mrs. H Lalmalsawmi (GA, Mizoram) for R2-R6

ORDER

BEFORE

HONOURABLE MR. JUSTICE NELSON SAILO
HONOURABLE MRS. JUSTICE MARLI VANKUNG

Date : 04.05.2023
(Nelson Sailo, J)

Heard Ms. Rosalynn L. Hmar, learned counsel for the petitioner, who submits that the subject matter of the instant PIL is non-completion of the construction of double lane built-up steel girder bridge (Span=80.0M) over the river Teirei at CH 7.00 Kmp on Bairabi – Zamuang road.

She submits that the respondent No. 1 was selected through restricted tender by the State Public Works Department. Thereafter, an agreement was signed on 24.07.2017 (Page 22) for an amount of Rs. 12,76,64,257.00/-. Subsequently, a supplementary agreement No. 1 dated 07.12.2020 (Page 126) was again signed for a revised amount of Rs. 21,75,29,765.43/-. The work order was issued on 24.07.2017 and the estimate time for completion of the construction was 30.06.2021. However, the work is far from completion and as per the information secured by the petitioner by filing an application through RTI, only 31.04% of the work has been completed. Hence, the petitioner has filed the instant PIL.

This Court vide Order dated 13.10.2022 had issued notice to the respondents, making it returnable by 4 (four) weeks. The said respondents are represented by the learned Government Advocate while the respondent No. 1 is

represented by Mr. Samuel Vanlalhriata Chhange, learned counsel who submits that he has been engaged recently and requires further time to obtain instructions and to file counter affidavit.

Considering the issue involved, this Court is of the view that the respondents should come up with their response by the next Court date by filing counter affidavit, failing which Court may consider directing the respondents concerned to appear in person.

List the matter again on **06.06.2023**.

JUDGE

JUDGE

Comparing Assistant