

GAHC040005302025



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

Case No. : WP(C)/155/2025

M/s Limin Enterprises and Anr
C Sector, Gandhi Market, Itanagar, Papum Pare District, Arunachal Pradesh.

2: Beli Gadi
Age:
Occupation :
Son of Shri Tabe Gadi
proprietor of M/s Limin Enterprises
permanent resident of Deke Village
PO and PS Tirbin
Leparada District
Arunachal Pradesh

VERSUS

The State of AP and 6 Ors
through the Chief Secretary, Govt of Arunachal Pradesh, Itanagar.

2:The Secretary (Power)
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

3:The Secretary Planning and Investment
Age: 0
Occupation :
Civil Secretariat
Govt of Arunachal Pradesh
Itanagar.

4:The Chief Engineer (Central Zone)
Age: 0

Occupation :
Department of Power
Electrical at Vidyut Bhawan
0 Point Tinali
Govt of Arunachal Pradesh
Itanagar.

5:The Chief Engineer
Age: 0
Occupation :
Transmission Monitoring and Planning Zone
Department of Power
(Electrical) at Vidyut Bhawan
0 Point Tinali
Govt of Arunachal Pradesh
Itanagar.

6:The Superintendent Engineer (Power)
Age: 0
Occupation :
Aalo
West Siang District
Govt of Arunachal Pradesh.

7:The Executive Engineer (Power)
Age: 0
Occupation :
Basar Electrical Division
Department of Power
(Electrical) District Leparada

Advocate for the Petitioner : Nikita Danggen, Penjom Siga,Honi Tana Tara,Karmu Chotton,Oken Duggong

Advocate for the Respondent : GA (AP), SC(Power),Lissing Perme

- B E F O R E -

HON'BLE MR. JUSTICE KARDAK ETE

ORDER

25.05.2026

Heard Mr. O. Duggong, learned counsel for the petitioners. Also heard Ms. P. Pangu, learned State counsel appearing for respondent Nos. 1 & 3 and Mr. L. Perme, learned Standing Counsel, Power Department, appearing for respondent Nos. 2, 4, 5, 6 & 7.

2. By filing this writ petition, the petitioners have prayed for a direction to the respondent authorities to release payment of the outstanding bill amounting of Rs. 13,10,000/- (Rupees Thirteen Lakhs Ten Thousand) for works executed pursuant to the work order Nos. BaED/EE/DB/WO/2023-24/97, BaED/EE/DB/WO/2023-24/98 and BaED/EE/DB/WO/2023-24/105, dated 23.02.2024 and 26.02.2024.

3. The petitioner No. 1 is a proprietorship firm and the petitioner No. 2 is the proprietor of petitioner No. 1. The petitioner No. 1 was issued the following work orders:

*"GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF POWER, BASAR-791101*

WORK ORDER

State: A.P

s/Division: BESD

Branch: T & D

Division: BaED

Work Order NO. BaED/EE/DB/WO/2023-24/97

Dated 23/02/2024

Order of the work described in the Schedule is given to **M/s Limin Enterprises, Tirbin**

Contractor to be executed as per the specification, rate and conditions appended below in the schedule

SCHEDULE OF WORKS

Sl.N o.	Description of Item/Work	Qty.	Rate (in Rs.)	Unit	Amount (in Rupees)
------------	--------------------------	------	------------------	------	-----------------------

	<i>Details of Transformer to be Repaired:-</i>				
i)	<i>Name of Sub-Station:-Dali Hydel</i>				
ii)	<i>Transformer Capacity: 630 KVA</i>				
iii)	<i>Voltage Ratio: 33/11</i>				
iv)	<i>Make:-</i>				
v)	<i>Serial No.</i>				
	<i>Shedule of Work</i>				
1	<i>Re-filling of Transformer Oil</i>	685	145	<i>Ltr</i>	99235.00
2	<i>Wire for insulation with DPC (HT) side</i>	339	700	<i>Kg</i>	237300.00
3	<i>Wire for insulation with DPC (LT) side</i>	175	700	<i>Kg</i>	122500.00
4	<i>Insulation raw material for HV & LV Side</i>	85	250	<i>Kg</i>	21250.00
5	<i>Dismantling & re-assembly including heating, varnishing, painting & repair charges</i>	1	18000	<i>Job</i>	18000.00
	<i>Total</i>				498375.0
	<i>Add GST @ 18%</i>				89707.50
	<i>Grand Total</i>				588082.50

Say, Rs 5,88,083/- (Rupees five Lakh eighty eight thousand eighty three) only.

CH:TO: MOA under BaED during 2023-24 (SH: Repair of 630KVA Transformer)

Terms & Conditions:

1 FOR: Power House, Basar

2 **Rate:** Is Inclusive of GST, all taxes & duties, freight & Insurance etc.

3 **Quality:** Sub-standard quality of materials shall be rejected in too.

4 **TDS:** Income tax and GST shall be deducted at source unless documents of exemption of payments are demonstrated by presenting purchase documents, tax clearance certificate / receipt for the items are produced along with the materials.

5 **Validity:** Validity of this order shall be 30 days only from the date of Issue of this order.

6 **Payment:** payment shall be made after satisfactory completion of work and subject to the availability of fund/LOC and on production of copy of PAN card.

7 **Disputes:** Any disputes arising out of this order shall be decided by the sole arbitrator appointed by the Department of Power, and legal jurisdiction shall be within Basar Court under District Magistrate, Leparada District, Arunachal Pradesh.

8 **Time:** The work should be completed within 1 (one) month.

Cosignee: Assistant Engineer(E), Basar

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF POWER, BASAR-791101

WORK ORDER

State: A.P

Branch: T & D

s/Division: BESD

Division: BaED

Work Order NO. BaED/EE/DB/WO/2023-24/98

Dated 23/02/2024

Order of the work described in the Schedule is given to **M/s Limin Enterprises, Tirbin**

Contractor to be executed as per the specification, rate and conditions appended below in the schedule

SCHEDULE OF WORKS

Sl.No.	Description of Item/Work	Qty.	Rate (in Rs.)	Unit	Amount (in Rupees)
	<i>Details of Transformer to be Repaired:-</i>				
i)	Name of Sub-Station:-Old Power House, Basar				
ii)	Transformer Capacity: 500 KVA				
iii)	Voltage Ratio: 33/11				
iv)	Make:-				
v)	Serial No.				
	<i>Schedule of Work</i>				
1	Re-filling of Transformer Oil	450	145	Ltr	65250.00
2	Wire for insulation with DPC (HT) side	18	3500	Kg	63000.00
3	wire for insulation with DPC (LT) side	3	7500	Kg	22500.00
4	Raw material (Gasket, Vatkol insulation)	84	250	Job	21000.00
5	Dismantling & re-assembly including heating, varnishing, painting & repair charge	1	15000	Job	15000.00
6	New Copper wire	85	1150	Kg	97750.00
	Total				284500.0
	Add GST @ 18%				51210.00
	Grand Total				335710.00

Say, Rs 3,35,710/- (Rupees three Lakh thirty five thousand seven hundred ten) only.

CH:TO: MOA under BaED during 2023-24 (SH: Repair of 630KVA Transformer)

Terms & Conditions:**1 FOR:** Power House, Basar**2 Rate:** Is Inclusive of GST, all taxes & duties, freight & Insurance etc.**3 Quality:** Sub-standard quality of materials shall be rejected in too.**4 TDS:** Income tax and GST shall be deducted at source unless documents of exemption of payments are demonstrated by presenting purchase documents, tax clearance certificate / receipt for the items are produced along with the materials.**5 Validity:** Validity of this order shall be 30 days only from the date of Issue of this order.**6 Payment:** payment shall be made after satisfactory completion of work and subject to the availability of fund/LOC and on production of copy of PAN card.**7 Disputes:** Any disputes arising out of this order shall be decided by the sole arbitrator appointed by the Department of Power, and legal jurisdiction shall be within Basar Court under District Magistrate, Leparada District, Arunachal Pradesh.**8 Time:** The work should be completed within 1 (one) month.

Cosignee: Assistant Engineer(E), Basar

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF POWER, BASAR-791101

WORK ORDER

State: A.P

s/Division: BESD

Branch: T & D

Division: BaED

Work Order NO. BaED/EE/DB/WO/2023-24/105

Dated 26/02/2024

Order of the work described in the Schedule is given to **M/s Limin Enterprises, Tirbin**

Contractor to be executed as per the specification, rate and conditions appended below in the schedule.

SCHEDULE OF WORKS

Sl. No.	Description of Item/Work	Qty.	Rate (in Rs.)	Unit	Amount (in Rupees)
	<i>Details of Transformer to be Repaired:-</i>				
i)	<i>Name of Sub-Station:-Rilu, Ego, Padi I & II</i>				
ii)	<i>Transformer Capacity: 25 KVA-4Nos</i>				
iii)	<i>Voltage Ratio: (11/0.4)</i>				
iv)	<i>Make:-</i>				
v)	<i>Serial No.</i>				
	<i>Schedule of Work</i>				
1	<i>Servicing overhauling i/c opening the top cover, dismantling, washing, drying, varnishing, re-assembling, hearting & testing etc. as required.</i>	4	6000.00	Job	24000.00
2	<i>Supply and winding of HV copper coil by replacing of old with new one complete as required.</i>	240	910.14	Kg	218433.60
3	<i>Rewinding of HV/LV copper coil.</i>	60	238.00	Kg	14280.00
4	<i>Supply & refixing of insulating materials</i>	4	4008.00	Job	16032.00
5	<i>Supply & replacing of Gasket set complete</i>	4	4200.00	Job	16800.00
6	<i>Insulation Varnish</i>	35	650.00	Ltr	22750.00
7	<i>11 KV HT bushing studs for 25 KVA Transformer</i>	4	649.00	No	2596.00
8	<i>Cotton Tape</i>	25	95.00	Roll	2375.00
9	<i>Glass Tape</i>	25	73.00	Roll	1825.00
10	<i>Glass Paper</i>	25	90.00	Sheet	2250.00
11	<i>Soldering Wire</i>	25	367.50	Kg	9187.50
12	<i>Re-filling of Transformer oil</i>	250	217.25	Ltr	54312.50

	Total				384841.60
	(-) Less for crap copper @ 75/- per Kg	55		Kg	4125
	Grand Total Rs				380716.60

Say, 3,80,717/-/- (Rupees Three Lakh Eighty Thousand Seven Hundred Seventeen) only.”

4. It is submitted by Mr. Duggong, learned counsel for the petitioners, that pursuant to the aforesaid work orders issued to the petitioners, the petitioners have executed the works for an amount of Rs. 13,10,000/- (Rupees Thirteen Lakhs Ten Thousand). Thereafter, the bills were submitted to the respondent authorities, however, the same have not yet been paid as on date. Therefore, Mr. Duggong, learned counsel for the petitioners, submits that the respondent authorities may be directed to pay the aforesaid amount of Rs. 13,10,000/- (Rupees Thirteen Lakhs Ten Thousand) to the petitioners as the same is undisputed.

5. Mr. L. Perme, learned Standing Counsel, Power Department, while placing instructions, fairly submits that although the amount claimed by the petitioners is not in fact disputed, the issuance of the work orders itself raises doubt, as the decision for execution of the works in question was taken in the year 2022 and the work orders appear to have been issued to the petitioners in the year 2024 after a lapse of 2 (two) years, whereas the decision to execute the works was to be implemented within 45 days. In such view of the matter, the respondent authorities have decided to cause an enquiry into the matter.

6. Having considered that the claim of the petitioners for execution of the works for an amount of Rs. 13,10,000/- (Rupees Thirteen Lakhs Ten

Thousand) vide Work Order Nos. BaED/EE/DB/WO/2023-24/97, BaED/EE/DB/WO/2023-24/98 and BaED/EE/DB/WO/2023-24/105, dated 23.02.2024 and 26.02.2024, is not disputed by the respondent authorities except for raising doubt with regard to the issuance of the work orders, I deem it appropriate to dispose of the writ petition with a direction to the respondent authorities to make an enquiry and verify the claim of the petitioners and if found admissible, the petitioners be paid the claim amount of Rs. 13,10,000/- (Rupees Thirteen Lakhs Ten Thousand only). It is ordered, accordingly. The exercise as directed hereinabove, shall be carried out within a period of 3 (three) months from today.

7. The writ petition stands disposed of in terms of above.

JUDGE

Comparing Assistant