GAHC040005672025

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

Case No. : WP(C)/168/2025

M/s Niya Enterprise
represented by proprietor Shri Techi Niya, Son of Late Techi Tadik, resident of Nirjuli-I, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP and 5 Ors
represented by the Director, Rural Development, Itanagar, Govt of Arunachal Pradesh, Itanagar.

2:The Joint Director (RE)
Age: 0
Occupation :
Rural Development Department
Itanagar
Govt of Arunachal Pradesh
Itanagar.

3:The Deputy Commissioner
Age: 0
Occupation :
Yupia
Papum Pare District
Govt of Arunachal Pradesh.

4:The Block Development Officer
Age: 0
Occupation :
Mengio CD Block
PO Mengio
Papum Pare District
Arunachal Pradesh.

5:The Secretary NEC
Age: 0
Occupation :
Ministry of Development of North East Region
NE Secretariat Shillong
Govt of India
Nongrim Hills
Shillong
793003
Meghalaya.

6:The I/C Deputy Advisor (IFC and WSM)
Age: 0
Occupation :
Ministry of Development of North East Region
NE Secretariat Shillong
Govt of India
Nongrim Hills
Shillong
793003
Meghalaya

Advocate for the Petitioner : Dilip Saikia, Toko Rini,Marnya Ete,Taku Pumbo

Advocate for the Respondent : GA (AP), SC (RD), Binter Picha

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 25.04.2025

Heard Mr. D. Saikia, learned counsel for the petitioner; Mr. B. Picha, learned Standing Counsel, Rural Development Department for the respondent nos. 1, 2 & 4; and Ms. R. Basar, learned State counsel for the respondent no. 3.

2. The petitioner has stated that the Department of Rural Development, Government of Arunachal Pradesh accorded technical sanction for a number of works amounting to Rs. 4,31,56,196/-. Thereafter, the respondent no. 4 published a Notice Inviting Tender [NIT] on 11.11.2023 inviting bids for a number of packages on the basis of Arunachal Pradesh District Based Entrepreneurship and Professional [Incentives Development and Professional] Act and

Rules, 2015 and Amendment Act, 2020. In response to the NIT, the petitioner stated to have submitted his bid for Package no. I. After scrutiny of the bids, the petitioner was declared as the successful bidder for Package no. I and thereafter, a contract agreement was executed on 11.12.2023 listing the works for execution under Package no. I. The petitioner has stated that the total cost of the contract-work awarded to the petitioner was Rs. 1,19,93,385/-. According to the petitioner, after issuance of a notice to proceed with the work on 18.12.2023, the petitioner had almost completed the contract-work. The petitioner submitted a bill against the contract-work executed by him. However, the respondent authorities have not yet responded for release of the bill amount, hence the writ petition.

3. Mr. Saikia, learned counsel for the petitioner has submitted that in the meantime, the petitioner has come to know that the funding agency, North Eastern Council [NEC], by an Office Memorandum dated 15.02.2025 cancelled the sanction order for Rs. 4.49 Crores, earlier sanctioned for the contract-works under reference.

4. Issue notice, returnable in 4 [four] weeks.

5. As Mr. Picha has appeared and accepted notice on behalf of the respondent nos. 1, 2 & 4; and Ms. Basar has appeared and accepted notice on behalf of the respondent no. 3, issuance of formal notices in respect of the said respondents stand dispensed with. The learned counsel for the petitioner shall serve requisite nos. of extra copies of the writ petition along with annexures, to Mr. Picha and Ms. Basar within 3 [three] working days from today.

6. The petitioner shall take steps for service of notice upon the respondent no. 5 by way of registered post with A/D within 3 [three] working days from today.

JUDGE

Comparing Assistant