

GAHC040015802025



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

Case No. : WP(C)/440/2025

Ashim Kalita
Son of Late Robi Kalita, resident of Dhekial, PO Dhekial, Golaghat District, Assam.

VERSUS

The State of AP and 3 Ors
represented by the Secretary, Public Works Department, Govt of Arunachal Pradesh,
Itanagar.

2:The Chief Engineer (CZ-B)

Age: 0

Occupation :

PWD

Pasighat

East Siang District

Arunachal Pradesh.

3:The Executive Engineer

Age: 0

Occupation :

Public Works Department

Pasighat

East Siang District

Arunachal Pradesh.

4:Tasong Siram

Age: 0

Occupation :

Son of Shri Tabang Siram

resident of Tekang Village

PO Yagrung

PS Pasighat

East Siang District

Arunachal Pradesh

Advocate for the Petitioner : Doli Mara, G T Sangma, Arup Bhattacharjee

Advocate for the Respondent : GA (AP),

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 12.09.2025

Heard Mr. J. N. Gogoi, learned counsel for the petitioner, who submits that by filing this writ petition, the petitioner seeking for a direction to the respondent authorities not to release the Performance Guarantee to the respondent No. 4. The learned counsel submits that a certain construction work was undertaken by the petitioner and he had appointed the respondent No. 4 as lawful attorney by executing the Power of Attorney dated 24.02.2020. He submits that the respondent No. 4 has failed to pay the GST and for which the amount is lying due. On the other hand, the respondent No. 3 in collusion with respondent No. 4 is trying to release the entire Performance Guarantee to the respondent No. 4. Aggrieved, the petitioner is before this Court.

Issue notice of motion, returnable by four (4) weeks.

Ms. P. Pangu, learned Government Advocate, accepts notice on behalf of the respondent Nos. 1, 2 & 3.

Petitioner to take steps for service of notice upon the respondent No. 4 by registered post with A/D within three (3) working days.

Petitioner shall also furnish requisite copies of the writ petition to the

learned Government Advocate within a period of two (2) days.

Having regard to the projection made, it is hereby directed that till the next date, the Performance Guarantee said to be lying with the respondent No. 3 should not be released to the respondent No. 4.

JUDGE

Comparing Assistant