

GAHC010200202022



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

Case No. : WP(C)/6490/2022

AJITAV CHOUDHURY
SON OF LATE AKASH PRATIM CHOUDHURY,
SOLE PROPRIETOR OF M/S. AJITAV CHOUDHURY,
HAVING ITS REGISTERED OFFICE AT H.NO. 256, VILL. AND P.O.
RONGMAHAL,
NORTH GUWAHATI,
DISTRICT- KAMRUP, ASSAM,
PIN- 781030.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY, GOVT. OF ASSAM,
DISPUR, GUWAHATI- 781006.

2:THE ADDL. CHIEF SECRETARY
GOVT. OF ASSAM
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

DISPUR
GUWAHATI- 781006.

3:THE PRINCIPAL SECRETARY
GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006.

4:THE COMMISSIONER

GOVT. OF ASSAM

INFORMATION
PUBLIC RELATION
PRINTING AND STATIONARY DEPARTMENT

DISPUR
GUWAHATI- 781006.

5:THE DIRECTOR
INFORMATION
PUBLIC RELATION
PRINTING AND STATIONERY
ASSAM

BAMUNIMAIDAM
GUWAHATI- 781021.

6:THE DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVT. OF ASSAM
BHANGAGARH
GUWAHATI- 781005

For the Petitioner(s) : Ms. P. Chutia, Advocate

For the Respondent(s) : Mr. N. Goswami, Advocate for Respondent Nos. 1, 2, 4,
5 and 6

: Mr. P. Nayak, Advocate for Respondent No.3

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 24.07.2023

1. The Petitioner herein is aggrieved by the inaction on the part of the Respondent Authorities in not making payment of Rs.19,31,188/- to which the

Petitioner claims to be entitled to.

2. It reveals from the records that the Director of Information, Public Relation, Printing and Stationary, Assam had issued a short tender notice dated 27.01.2014 whereby the Government Registered firms/dealers were invited for doing lamination on the cover of the Ration Cards under NFSA-2013. The Petitioner duly submitted his tender and was selected for doing lamination on the cover of the Ration Cards under NFSA-2013. Subsequent thereto, 3 (three) work orders were issued in favour of the Petitioner for doing lamination on the cover of the Ration Cards under NFSA-2013. The details of the work orders are as hereinafter :-

Sl. No.	Work Order	Details of Work
1	DPS/PTG(S)18/2013-14/43	12,80,870 copy of lamination of ration card as per Govt. approved rate of 0.75 paise per copy.
2	DPS/PTG(S)18/2013-14/50	4,400 copy of lamination of ration card as per Govt. approved rate of 0.75 paise per copy.
3	DPS/PTG(S)18/2013-14/55	19,88,384 copy of lamination of ration card as per Govt. approved rate of 0.75 paise per copy.

3. The Petitioner claims that he has duly completed the said work and had submitted 3 (three) bills totaling to an amount of Rs.26,09,188/-. It is the further case of the Petitioner that the Petitioner was only paid an amount of Rs.6,78,000/- and an amount of Rs.19,31,188/- remain pending. The Petitioner thereupon has approached the Respondent Authorities time and again however, the Respondent Authorities have not made the payment for which the Petitioner has approached this Court by filing the present writ petition.

4. It appears on record that this Court had issued notice on 29.09.2022.

Today, when the matter has been taken up, Mr. N. Goswami, the learned counsel appearing on behalf of the Food, Civil Supplies and Consumer Affairs Department, Government of Assam as well as for the Directorate of Information, Public Relation, Printing and Stationary, Assam had submitted that the Petitioner's bills could not be cleared in view of the fact that the said bills were not properly certified and counter-signed. He however submits that if the bills are properly certified and counter-signed, the Respondent Authorities shall duly take appropriate steps for the purpose of releasing the said amounts to which the Petitioner is entitled to subject to verifications.

5. Taking into account the above stand, this Court therefore is of the opinion that the interest of justice would be met if the Petitioner is permitted to submit his un-cleared bills in the proper format and a direction is given to the concerned Respondent Authorities to make payment to the Petitioner the amount which he is entitled to after necessary verification.

6. Accordingly, this Court therefore disposes of the instant writ petition thereby giving the liberty to the Petitioner to submit his unpaid bills in the proper format and thereupon, the Respondent Nos. 5 and 6 shall make necessary verification as regards the Petitioner's entitlement and upon verification it is found that the Petitioner is entitled to the amount so claimed or such other amount that is ascertained after verification, the said amount be paid to the Petitioner.

7. The said exercise be completed by the Respondents within a period of 3 (three) months from the date a certified copy of the instant order along with the bills in the proper format are submitted by the Petitioner to the Respondent Nos. 5 and 6.

8. With above observations and directions, the instant writ petition stands disposed of.

JUDGE

Comparing Assistant