

GAHC010200202022



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

Case No. : WP(C)/6573/2022

NRIPEN TALUKDAR
S/O- LATE PARASU RAM TALUKDAR

SOLE PROPRIETOR OF M/S ABALAS

HAVING ITS REGISTERED OFFICE AT MRD ROAD
ANURADHA COMPLEX
BAMUNIMAIDAM

P.O- BAMUNIMAIDAM
GUWAHATI-21

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE CHIEF SECRETARY
GOVT. OF ASSAM
DISPUR
GUWAHATI-06

2:THE ADDL. CHIEF SECRETARY
GOVT. OF ASSAM
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
DISPUR
GUWAHATI-06

3:THE PRINCIPAL SECRETARY
GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06

4:THE COMMISSIONER
GOVT. OF ASSAM

INFORMATION
PUBLIC RELATION
PRINTING AND STATIONARY DEPARTMENT
DISPUR
GUWAHATI-06
5:THE DIRECTOR
INFORMATION
PUBLIC RELATION
PRINTING AND STATIONARY
GOVT. OF ASSAM
BAMUNIMAIDAM
GUWAHATI-21
6:THE DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVT. OF ASSAM
DEPARTMENT
BHANGAGARH
GUWAHATI-05

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 case of the Petitioner herein is that the Petitioner herein is aggrieved by the inaction on the part of the Respondent Authorities in not making payment of an amount of Rs.4,59,436.50/-.

2. The case of the Petitioner herein is that the Director of Information, Public Relation, Printing and Stationary Assam i.e. the Respondent No.5 had issued a

tender for the purpose of Ration Cards Binding with Folding, Gathering, Stitching, Cutting, Numbering and all finishing under the NFSA-2013. The Petitioner participated in the said tender process and was issued two work orders, the details of which are given hereinbelow:-

Sl. No.	Work Order	Details of Work
1	DPS/PTG(S)18/2013-14/49	10,46,200 copy of Ration Card Binding with Folding, Gathering, Stitching, Cutting, Numbering and all finishing product as per Govt. approved rate of Rs.1.50/- per copy.
2	DPS/PTG(S)18/2013-14/48	44741 copy of Ration Card Binding with Folding, Gathering, Stitching, Cutting, Numbering and all finishing product as per Govt. approved rate of Rs.1.50/- per copy

3. The Petitioner submitted his bill vide Serial No.542 amounting to Rs.15,69,300/- and another bill amounting to Rs.67,111.50/-. The Respondent No.5 i.e. Director of Information, Public Relation, Printing and Stationary, Assam had on 26.04.2014 paid an amount of Rs.11,76,975/- against the total claimed entitlement of Rs.15,69,300/-. Apart from that, the Respondent No.5 has also failed to pay the amount of Rs.67,111.50/-. The Petitioner claims an amount of Rs.4,59,436.50/- to be outstanding and entitled. The Petitioner thereupon had approached the Respondent Authorities on various occasions but as the Respondent Authorities have failed to make the payment, the Petitioner has approached this Court by filing the present writ petition.

4. It appears on record that this Court had issued notice on 30.09.2022. Today, when the matter has been listed, Mr. N. Goswami, the learned counsel appearing on behalf of the Food and Civil Supplies Department as well also for

the Director of Information, Public Relation, Printing and Stationary, Assam had submitted that as to whether the Petitioner would be entitled to the remaining amount of Rs.4,59,436.50/- would require a verification to be carried out by the said Respondent Authorities.

5. Taking into account the above, this Court therefore disposes of the instant writ petition thereby directing the Respondent Nos. 5 and 6 to make necessary verification as to whether the Petitioner is entitled to the amount of Rs.4,59,436.50/- as claimed in the instant writ petition or any other amount in respect to the work orders above mentioned and thereupon, after the verification if it is found that the Petitioner is entitled to the said amount or such other amount, the same be paid to the Petitioner.

6. The entire exercise shall be completed by the Respondent Authorities including the Respondent Nos. 5 and 6 within a period of 3 (three) months from the date a certified copy of the instant order is served upon the Respondent Nos. 5 and 6.

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

JUDGE

Comparing Assistant