

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WP(C) No.520 of 2024

For Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate. Ms. S. Deb Barman, Advocate.
For Respondent(s)	:	Mr. Kohinoor N. Bhattacharjee, G.A.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

_O_R_D_E_R_

08.08.2024

Heard.

The present petition has been filed for a direction to the respondents to make the payment of four bills amounting to Rs.18,12,003/- along with interest @9% per annum w.e.f. 90 days of completion of order till the date of actual payment in respect of works done as per notice inviting e-tender for rate contract, dated 05.11.2022 issued by the Mission Director, NHM, Govt. of Tripura.

The petitioner has prayed for the following reliefs:

“i Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to make payment of Rs.18,12,003/- along with interest, against the bills raised by the petitioner as per work done in terms of e-tender dated 05.11.2022 issued by the Mission Director, NHM. As per cause 15 of e-Tender, dated 05.11.2022 payment of successful tender shall be made on bill basis only after verification by the inspection committee and bills are to be paid within 90 days from the date of completion of order.

ii. Make the rules absolute.

iii. Call for the records.”

The facts in brief are that the petitioner has sought for necessary order from this Court upon the respondents to cause payment of Rs.18,12,003/- against the bills raised by the petitioner as per work orders in terms of e-tender dated 05.11.2022 issued by the Mission Director, NHM. As per cause-15 of e-Tender, dated 05.11.2022 payment of successful tender shall be made on bill only after verification by the inspection committee and bills are to be paid within 90 days from the date of completion of order. The petitioner supplied materials as per work order and raised bills but payment has not been made.

Being aggrieved by the conduct of the respondents, the petitioner has filed the present writ petition before this Court for redress.

In view of above and having heard the learned counsel appearing for the parties, without going into the merits of the case, this Court is of the view that ends of justice would be met if the present petition is disposed of directing the respondent to decide the matter in accordance with the legal notice dated 14.06.2024 sent by the petitioner within a period of two months from the date of receipt of the copy of this order. However, Learned Government Advocate appearing for the respondents has submitted that while considering the case of the petitioner in terms of the legal notice dated 14.06.2024, the interest part may be waived.

Accordingly, the present writ petition stands disposed of. As a sequel, miscellaneous application pending, if any, shall stand closed.

T. AMARNATH GOUD, J

A. Ghosh

ANJAN
GHOSH

Digitally signed by
ANJAN GHOSH
Date: 2024.08.13
11:59:46 +05'30'

