



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

Case No. : IA(C)/92/2024

M/s Simon Enterprises
represented by its proprietor Shri Jito Maying, Son of Riji Maying, resident of Village
Taliha, PO and PS Taliha, Upper Subansiri District, Arunachal Pradesh

VERSUS

The State of AP and 8 Ors represented by the Director (RD), Govt of Arunachal
Pradesh, Rural Development Department, Itanagar

2:The Director (RD)

Age: 0

Occupation :

Govt of Arunachal Pradesh Rural Development Department Itanagar

3:The Joint Director (RE)

Age: 0

Occupation :

Rural Development Department Govt of Arunachal Pradesh Itanagar

4:The Project Director

Age: 0

Occupation :

DRDA Upper Subansiri District Arunachal Pradesh

5:Lalum Jeram AE Power

Age: 0

Occupation :

Daporijo member Tender Evaluation Committee

6:Loku Gumja JE

Age: 0

Occupation :
member Tender Evaluation Committee
7:Diwan Gamlin ADO
Age: 0
Occupation :
member tender evaluation committee

8:Bommar Kena EO(RE)
Age: 0
Occupation :
member tender evaluation committee

9:Nikam Riamuk
Age: 0
Occupation :
Son of Late Tachik Riamuk proprietor of M/s RT Enterprises Village Taliha PO and
PS Taliha Upper Subansiri District Arunachal Pradesh

Advocate for the Petitioner : Mr. T. Rigia, Tsering Lhamu

Advocate for the Respondents : Binter Picha, S/C RD; Ms. N. Danggen

**BEFORE
HONBLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

Date : 17-06-2024

Heard Mr. T. Rigia, learned counsel for the applicant. Also heard Mr. B. Picha, learned Standing counsel for the Rural Works Department representing the Official Respondents and Ms. N. Danggen, learned counsel for the private Respondent No. 9.

2. The applicant as a petitioner preferred the connected writ petition being WP(C)169(AP)2024 challenging the Letter of Intent (LOI), dated 06.03.2024, issued by the Director, Rural Development Department,

Government of Arunachal Pradesh, Itanagar, allowing one *M/s R. T. Enterprises, Taliha, Upper Subansiri District, Arunachal Pradesh* for procurement of materials under MGNREGA' 2023-24 pertaining to CD Block, Taliha, Upper Subansiri District with total contract value of Rs. 1,65,36,101/- (Rupees one crore sixty five lakhs thirty six thousand one hundred one) through process of Notice Inviting Tender/Invitation of Bid dated 27.01.2024 that was issued by the Joint Director (RE), Rural Development Department, Itanagar.

3. In the said WP(C)No.169(AP)2024, the petitioner, amongst others, arrayed the State of Arunachal Pradesh represented by the Director (RD) to the Government of Arunachal Pradesh, Rural Development Department, Itanagar as Respondent No. 1 and the Secretary (RD) of the Government of Arunachal Pradesh, Rural Development Department, Itanagar as Respondent No. 4.

4. By this application, the petitioner of WP(C)169(AP)2024 as an applicant, prayed for modification of the Cause-title of said WP(C)169(AP)2024, particularly to arrange the respondents in sequence properly stating that the State of Arunachal Pradesh represented by the Secretary (RD) to the Government of Arunachal Pradesh, Rural Development Department, Itanagar should be corrected as Respondent No. 1 and the Director (Rural Development) to the Government of Arunachal Pradesh, Rural Development, Itanagar should be corrected as Respondent No. 2 in the Cause-title of said WP(C)169(AP)2024.

5. Mr. B. Picha, learned Standing counsel for the Rural Development Department appearing for the Official respondents and Ms. N. Danggen, learned counsel for the private Respondent No. 9, submitted that for correction of the Cause-title, the applicant should have filed an appropriate application for amendment of the Cause-title and as such, objected in accepting this application preferred by the applicant/writ petitioner of WP(C)169(AP)2024.

6. On perusal of the connected WP(C)169(AP)2024 and the prayers made therein as well as in this application, it is seen that the applicant/writ petitioner in WP(C)169(AP)2024 made the Director (RD) to the Government of Arunachal Pradesh, Rural Development, Itanagar, representing the State of Arunachal Pradesh as party Respondent No. 1, whereas, the Secretary (RD) of the Government of Arunachal Pradesh, Rural Development, Itanagar, has been made Respondent No. 4 and has now prayed for alteration of those respondents as the Secretary (RD) Government of Arunachal Pradesh, Rural Development Department, Itanagar, Respondent No. 1 and the Director (RD) Government of Arunachal Pradesh as Respondent No. 2, thereby, interchanging their positions as respondents in said WP(C)169(AP)2024. The Court on perusal, found that from such interchanging of their seriatim as respondents in the Cause-title, will not alter the facts and the prayer made by the applicant/writ petitioner in its said WP(C)169(AP)2024.

7. Considering the above, the objections raised by the opposite parties,

herein, are rejected.

8. Accordingly, the prayer made by the applicant is allowed.

9. Henceforth, in the connected WP(C)169(AP)2024, Respondent No. 1 shall be read as "*The State of Arunachal Pradesh represented by the Secretary (RD) to the Government of Arunachal Pradesh, Rural Development Department, Itanagar*" and the Respondent No. 2 shall be read as "*the Director (RD), Rural Development Department, Government of Arunachal Pradesh, Itanagar*" and the present Respondent Nos. 2 & 3 in said WP(C)169(AP)2024 shall be renumbered as Respondent Nos. 3 & 4.

10. The Registry shall accordingly, do the needful in correcting and renumbering the respondents in the cause-title of said WP(C)169(AP)2024.

11. With the above observation and direction, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant