

GAHC010023492024



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

Case No. : WP(C)/780/2024

MONJURUL ISLAM BARBHUIYA
S/O LT. INTAZ ALI BARBHUIYA VILL SOUTH KRISHNAPUR P.O.
SONABARIGHAT DIST. CACHAR ASSAM PIN 788013

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
PUBLIC WORKS DEPTT DISPUR GUWAHATI 6

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM FINANCE DEPTT DISPUR GUWAHATI 6

3:THE CHIEF ENGINEER
PUBLIC WORKS ROAD DEPTT ASSAM CHANDMARI GUWAHATI 3

4:THE ADDITIONAL CHIEF ENGINEER
PUBLIC WORKS ROAD DEPTT CACHAR SILCHAR PIN 788001

5:THE SUPERINTENDING ENGINEER
PUBLIC WORKS ROAD DEPTT CACHAR SILCHAR PIN 788001

6:THE EXECUTIVE ENGINEER CACHAR
PUBLIC WORKS DEPTT ROAD SILCHAR AND UDHARBOND TERRITORIAL
ROAD DIVISION SILCHAR CACHAR ASSAM PIN 78800

Advocate for the Petitioner : MR H I CHOUDHURY, MR. K P PATHAK,MR BHARGAV
DAS,MR REZABUL HOQUE

Advocate for the Respondent : SC, FINANCE, SC, PWD ROAD

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

Date : 04.10.2024

Pursuant to this court's order dated 28.02.2024 the learned counsel for the respondent has obtained instructions and submits that the contractor Sri Monjurul Islam Barbhuiya had executed the work and the reason for non release of funds, amounting to Rs.1,39,754 is paucity of fund and same will be cleared when approved by the Government.

The learned counsel has also produced a communication dated 11.09.2024 issued by the Executive Engineer, PWD, Roads, Silchar & Udharbond Territorial Roads Division, Silchar requesting the Chief Engineer PWRD for release of such payment.

It is submitted by Ms. A Borthakur, learned counsel appearing on behalf of Mr. P Nayak, learned standing counsel, PWD Roads that the admitted amount will be paid within a period of three months from today.

In view of the aforesaid submission and instructions, the present writ petition stands disposed of directing the petitioner to furnish a copy of this order before the respondent No.3, The Chief Engineer, Public Works (Road) Department, Assam, Chandmari and on receipt of such communication the Chief Engineer, PWD (Roads) shall take note of the same along with a communication of the

Executive Engineer, PWD, Roads, Silchar & Udharbond Territorial Roads Division, Silchar dated 11.09.2024 and verify the claim of the petitioner and thereafter ensure that the admitted amount is paid within a period of three months from the receipt of the copy of the order.

Accordingly, the writ petition stands disposed of.

JUDGE

Comparing Assistant