

GAHC010034092024



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

Case No. : WP(C)/1110/2024

RAMJAN ALI
SON OF LATE SAMSHER ALI, RESIDENT OF VILLAGE- DUTTAKUCHI, P.O.
DABALIA PARA, DISTRICT- BARPETA, ASSAM, PIN- 781316

VERSUS

THE STATE OF ASSAM AND 4 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT
OF ASSAM, SECONDARY EDUCATION DISPUR, GUWAHATI- 781006

2:THE MISSION DIRECTOR
SAMAGRA SHIKHA
ASSAM KAHILIPARA
GUWAHATI- 781019

3:THE DISTRICT MISSION COORDINATOR-CUM-DISTRICT ELEMENTARY
EDUCATION OFFICER
SAMAGRA SHIKHA
ASSAM
DISTRICT AND P.O. BARPETA
ASSAM PIN- 781019

4:THE BLOCK MISSION COORDINATOR-CUM-BLOCK ELEMENTARY
EDUCATION OFFICER (SSA)
HOWLY P.O. HOWLY
DISTRICT- BARPETA
ASSAM PIN-

5:THE HEAD MASTER
DHAKALIA PARA-DABALIA PARA HIGH SCHOOL
P.O. DABALIA PARA
DISTRICT- BARPETA
ASSAM
PIN- 78131

Advocate for the Petitioner : MR. S Ali

Advocate for the Respondent : SC, SEC. EDU.

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 01.03.2024

Heard Mr. S. Ali, learned counsel for the petitioner, who submits that the President, SMDC of Dabalia Para High School had issued an order for supply of school uniforms on 02.03.2021. The petitioner thereafter supplied the school uniforms to the respondent No. 5/school and submitted his bills, amounting to Rs. 3,18,000/-. Thereafter, the respondent No. 5, i.e., the Headmaster of Dabalia Para High School has issued a cheque for an amount of Rs.50,000/- to the petitioner and the balance amount of Rs. 2,68,000/- has not been paid to the petitioner till date.

The petitioner's counsel submits that the petitioner has submitted a representation dated 11.03.2022 to the respondent No. 4 for release of the remaining amount of Rs. 2,68,000/-. However, the balance amount has not been paid to the petitioner.

Mr. B. Gogoi, learned counsel for the respondent Nos. 2, 3 & 4 submits that the issue pertains to Dabalia Para High School and the petitioner. As such, the issue does not involve the State Government.

On perusing the writ petition, I find that the issue pertains to supply of school uniforms and payment of the bills between the petitioner and the Dabalia Para High School. As there is alternative remedy available to the petitioner, by

way of approaching the Civil Court and as the limitation period for approaching the Civil Court has not expired, this Court is not inclined to entertain the present writ petition.

Accordingly, this writ petition is dismissed with liberty being given to the petitioner to approach the Civil Court with his grievance.

JUDGE

Comparing Assistant