

GAHC010056172021



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

Case No. : WP(C)/2152/2021

M/S GOELS COIR FOAM (INDIA) PVT LTD
A REGD. COMPANIES UNDER THE INDIAN COMPANIES ACT, 1956, HAVING
ITS REGD. OFFICE AND PRINCIPAL PLACE OF BUSINESS AT V-6, RAMPUR
GARDEN, NEAR AGRASEN PART, BAREILLY-243001, UTTAR PRADESH AND
IS REP. BY ITS DULY AUTHORIZED REPRESENTATIVE MR. RAKESH KUMAR
GARG.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, WPT AND BC
DEPTT., DISPUR,-781006.

2:THE PRINCIPAL SECRETARY

WPT AND BC DEPTT.
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
DISPUR
GUWAHATI
ASSAM-781006.

3:THE JOINT SECRETARY

WPT AND BC DEPTT.
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
DISPUR
GUWAHATI
ASSAM-781006.

4:THE ADDL. DIRECTOR CUM CHD

WPT AND BC DEPTT.
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM.

5:THE BLOCK DEVELOPMENT OFFICER

MANIKPUR DEVELOPMENT BLOCK
MANIKPUR
ASSAM.

6:THE PROJECT DIRECTOR

DISTRICT RURAL DEVELOPMENT AGENCY
CHIRANG
ASSAM

Advocate for the Petitioner : MD. A HASSAN

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

29.04.2024

- 1.** Heard Mr. M. Haloi, learned counsel for the petitioner and Ms. R.B. Bora, learned counsel for the BTC. Mr. R. Dhar, learned counsel appears for the respondent no.1.
- 2.** The petitioner's grievance is that the petitioner has not been paid the supply order value of Rs.89,05,000/-, for supply of woolen blankets, in terms of the supply order dated 05.03.2019 issued by the respondent no.4.
- 3.** Ms. R.B. Bora, learned counsel for the respondent no.3, by relying upon the paragraph 3 of the affidavit-in-opposition filed by the respondent no.2 submits that in terms of judgment of the Full Bench of this Court in ***Tamsher Ali & Others vs. The State of Assam and Others (Writ Appeal No.484/2005)***, the BTC authorities shall verify the supply order, supply of woolen blankets and the amount that is liable to

be paid to the petitioner. Thereafter if the petitioner is to be paid any admitted amount, the same will be paid.

4. On considering the submissions made by the counsels for the parties and as the respondents have taken a stand that they will verify the supply order, supply made and the liability amount payable to the petitioner, in terms of ***Tamsher Ali (Supra)***, the respondents shall accordingly do the same, within a period of 3 (three) months from the date of receipt of a certified copy of this order. The payment of the admitted amount will be made within one month thereafter.

5. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant