

GAHC010102192022



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

Case No. : WP(C)/4284/2022

POOJA HARDWARE STORES
REPRESENTED BY ITS PROPRIETOR SANDEEP KR. AGARWAL, NEAR
BARPETA POLICE STATION, BARPETA ROAD, DIST-BARPETA, ASSAM, PIN-
781315, AGE-43 YEARS

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE GENERAL MANAGER N.F RAILWAY, MALIGAON,
GUWAHATI-781011

2:THE DIVISIONAL RAILWAY MANAGER
N.F. RAILWAY
MALIGAON
GUWAHATI-781011

3:THE SR. DIVISIONAL ENGINEER
N.F RAILWAY
MALIGAON
GUWAHATI-781011

4:THE CHIEF ENGINEER (CON-II)
N.F RAILWAY
MALIGAON
GUWAHATI-781011

5:THE EXECUTIVE ENGINEER (CON-II)
N.F. RAILWAY
MALIGAON GUWAHATI-781011

6:THE DEPUTY CHIEF ENGINEER (CON-II)
N.F. RAILWAY
MALIGAON GUWAHATI-78101

Advocate for the Petitioner : MR B P BORAH

Advocate for the Respondent : ASSTT.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 19.02.2024

Heard Mr. B. P. Borah, learned counsel for the petitioner and Mr. B. Chakrabarty, learned CGC for all the respondents.

The petitioner has approached this Court with his grievance that the contractual bill amounting to Rs. 1,97,85,571/- has not been disbursed to the petitioner by the respondent Railway Authorities till date.

Paragraph 11 of the affidavit-in-opposition filed on behalf of the respondents by the Deputy Chief Engineer/CON/II/Maligaon of the Northeast Frontier Railway is to the effect that the respondents do not admit the liability amount of Rs. 1,97,85,571/-.

In view of there being disputed questions of fact, this Court is of the view that the petitioner should avail the appropriate alternative remedy available.

Accordingly, this writ petition is disposed of, with liberty being given to the petitioner to approach the appropriate alternative remedy available, such as the Civil Court.

JUDGE

Comparing Assistant