

GAHC010103312022



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

Case No. : WP(C)/3627/2022

NARZA BASUMATARY
S/O SRI JAWAHARLAL BASUMATARY
VILL- NORTH SIMLAGURI
P.O. GARUBHASA P.S. SIDLI
DIST. CHIRANG
BTR ASSAM
PIN-7883375

VERSUS

THE STATE OF ASSAM AND 4 ORS.
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM
WATER RESOURCE DEPARTMENT
DISPUR GUWAHATI-6.

2:THE BODOLAND TERRITORIAL COUNCIL
REP. BY THE PRINCIPAL SECRETARY
BTC
P.O. AND DIST. KOKRAJHAR
PIN- 783370
BTR ASSAM

3:THE SECRETARY
WATER RESOURCE DEPARTMENT
BTC
KOKRAJHAR.

4:THE ADDITIONAL CHIEF ENGINEER CUM
COUNCIL HEAD OF THE DEPARTMENT
KOKRAJHAR ZONE
WATER RESOURCE DEPARTMENT
BTC KOKRAJHAR.

5:THE EXECUTIVE ENGINEER
CHIRANG
WATER RESOURCE DIVISION
KAJALGAON
BTR
ASSAM

Advocate for : MR R DHAR

Advocate for : SC

WATER RESOURCE appearing for THE STATE OF ASSAM AND 4 ORS.

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 30.09.2024

1. Heard Mr. R. Dhar, learned counsel for the petitioner and Mr. R. K. Muchahary, learned counsel for the BTC. Also heard Ms. D. Jain, learned counsel for the respondent No. 1.

2. It is the case of the petitioner that pursuant to Administrative Approval dated 13.12.2018, the petitioner on emerging as L-1 bidder, was issued work order dated 07.03.2019 for the contract-work viz. "Protection of Chandpur village from the erosion of river Mora-Bhur on R/B under S.O.P.D (BTC) for 2019-2020" ('the Contract-Work', for short) at a sanctioned amount of Rs.14,99,700/-. The petitioner's case is that he has completed the Contract-Work to the extent of 100% and thereafter, submitted his final bill for an amount of Rs. 15 lakhs. The respondent authorities in the BTC, after inspection of the Contract-Work, had issued a completion report dated 02.06.2020. It has been averred that despite approaches being made before the respondent authorities in the BTC for disbursal of Rs. 15 lakhs, the same has not been done

in favour of the petitioner till date.

3. Mr. R. K. Muchahary, learned counsel for the BTC submits that as per the list of contractors made by the BTC to whom outstanding liabilities are to be paid by the Water Resources Department, BTC, Kokrajhar, the petitioner is at serial No. 36 and the admitted amount payable to the petitioner is Rs.14,98,591/-. He submits that the same will be paid to the petitioner.

4. I have heard the learned counsels for the parties.

5. In view of there being an admission by the BTC that the petitioner is liable to be paid Rs.14,98,591/-, the Water Resources Department, BTC shall pay the admitted amount to the petitioner, within a period of 5(five) months from the date of receipt of a certified copy of this order.

6. This writ petition is accordingly disposed of.

JUDGE

Comparing Assistant