

GAHC010105172023



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

Case No. : WP(C)/2752/2023

M/S UTSHAV COMMERCIAL
REPRESENTED BY ITS PROPRIETOR SRI AJAY KUMAR SINGH, SON OF
LATE RAM CHANDRA SINGH, RESIDENT OF A.P.R.O. COLONY, ULUBARI,
B.K. KAKATI ROAD, P.O. ULUBARI, P.S. PALTANBAZAR, DIST. KAMRUP(M),
ASSAM, PIN- 781007.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HOME DEPARTMENT, DISPUR, P.O.
SACHIVALAYA, DIST. KAMRUP(M), ASSAM, PIN- 781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
ASSAM SACHIVALAYA
DIST. KAMRUP(M)
ASSAM
PIN- 781006.

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI
P.O. LACHITNAGAR
P.S. PALTANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN- 781007.

4:THE ADDITIONAL DIRECTOR GENERAL OF POLICE

C.I.D.
ASSAM
ULUBARI
GUWAHATI
P.O. ULUBARI
P.S. PALTANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN- 781007.

5:THE ASSISTANT INSPECTOR GENERAL OF POLICE (A)
ASSAM
ASSAM POLICE HEAD QUARTERS
ULUBARI
GUWAHATI
P.O. LACHITNAGAR
P.S. PALTANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN- 781007.

6:THE SUPERINTENDENT OF POLICE
C.I.D.
ASSAM
ULUBARI
GUWAHATI
P.O. ULUBARI
P.S. PALTANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN- 781007.

7:THE DEPUTY SUPERINTENDENT OF POLICE
CID
ASSAM
ULUBARI
GUWAHATI
OFFICE OF THE ADDITIONAL DIRECTOR GENERAL OF POLICE
C.I.D.
ASSAM
ULUBARI
GUWAHATI
P.O. ULUBARI
P.S. PALTANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN- 781007

Advocate for the Petitioner : MR. S K SINHA

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

12.06.2024

Heard Mr. S.K. Sinha, learned counsel for the petitioner. Also heard Mr. N. Goswami, learned Government Advocate for the respondents.

This writ petition is filed by the petitioner aggrieved by the fact that for works executed by supplying various items to the respondent No. 4, the bills raised for the supplies undertaken have not been released.

Notice in the matter was issued on 19.05.2023. Subsequently, an affidavit has been filed by the Special Superintendent of Police at Addl. Director General of Police Assam wherein there is an averment made that total amount of Rs. 38,33,828/- (Rupees Thirty Eight Lakh Thirty Three Thousand Eight Hundred Twenty Eight Only) is pending in respect of the writ petitioner for which the same is being processed under the current financial year. The affidavit also makes an averment that an amount of Rs. 34,94,114/- (Rupees Thirty Four Lakh Ninety Four Thousand One hundred Fourteen Four only) have been paid to the writ petitioner against the total bills received amounting to Rs. 73,27,942/- (Rupees Seventy Three Lakh Twenty Seven Thousand Nine Hundred Forty Two Only).

The learned counsel for the petitioner submits that in view of such categorical averment and an admission by the respondent authority that the balance amount is required to be paid, a direction be issued to the respondents to release the same amount at the earliest.

Taking into consideration the submissions made by the rival counsel and also specific averment made in the affidavit in opposition filed by the respondent No. 4, this writ petition is closed with a direction to the respondent more particularly respondent No. 4 to process the bills with regard to the outstanding amount required to be paid to the petitioner to the tune of Rs. 38,33,828/-(Rupees Thirty Eight Lakh Thirty Three Thousand Eight Hundred Twenty Eight Only) and the same be released expeditiously without further delay. The entire exercise be completed within a period of 120 days from the date of receipt of certified copy of this order.

With the above observation, the writ petition stands disposed of.

JUDGE

Comparing Assistant