

GAHC010109152023



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

Case No. : WP(C)/2895/2023

M/S BINIT INDUSTRIES
PROPRIETOR OF SHANKAR KUMAR, KHANDELIA, PROPRIETOR OF M/S
BINIT INDUSTRIES, S/O- LATE SATYANARAYAN AGARWALLA R/O- S.N.
MARKET OPP. D.C. OFFICE, DHEMAJI, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR, GHY-6

2:SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCES DEPTT.
CHANDMARI
GHY-3

3:THE CHIEF ENGINEER
WATER RESOURCES DEPTT. GOVT. OF ASSAM CHANDMARI
GHY-3

4:THE SUPERINTENDING ENGINEER
WATER RESOURCES DEPTT.
NORTHERN ASSAM W.R. CIRCLE
GHY-3

5:EXECUTIVE ENGINEER
WATER RESOURCES DEPTT.
GOALPARA W.R.DIVISION GOALPAR

For the petitioner (s) : Mr. D. K. Jain, Advocate

For the respondent (s) : Ms. R. Deka, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

02.09.2024

Heard Mr. D. K. Jain, the learned counsel appearing on behalf of the petitioner. Ms. R. Deka, the learned counsel appears on behalf of the respondents.

2. From a perusal of the materials on record, it is seen that the petitioner claims an amount of Rs.8,44,430/- on account of non-payment of dues to which the petitioner is entitled to. However, there is no mention in the writ petition as to when the work was completed and when the petitioner raised bills of. What is enclosed is a work order dated 12.02.2015 and an order passed by the Coordinate Bench of this Court in respect to some other writ petition.

3. This Court is of the opinion that a writ petition filed claiming non-payment of dues without giving particulars essential for adjudication cannot be entertained. Apart from that, without such particulars, this Court in exercise of the powers under Article 226 of the Constitution cannot issue a mandamus.

4. Accordingly, the instant writ petition stands dismissed.

5. However, liberty is given to the petitioner to approach the appropriate forum, if so advised.

JUDGE

Comparing Assistant