

GAHC010135482023



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

Case No. : WP(C)/3614/2023

PUTUL ALI
S/O AIJUDDIN AHMED, R/O WARD NO. 4 (KARIM CHOWK), P.O. AND P.S.-
MANGALDAI, DIST-DARRANG, ASSAM, PIN-784125

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
IRRIGATION DEPARTMENT, DISPUR, GUWAHATI-6

2:THE CHIEF ENGINEER
IRRIGATION
ASSAM
CHANDMARI
GUWAHATI-3

3:THE SUPERINTENDING ENGINEER
MANGALDAI CIRCLE (IRRIGATION)
MANGALDAI
PIN-784125

4:THE EXECUTIVE ENGINEER
MANGALDAI-DALGAON-SIPAJHAR DIVISION (IRRIGATION)
MANGALDAI
PIN-784125

5:THE ASSISTANT EXECUTIVE ENGINEER
MANGALDAI SUB-DIVISION (IRRIGATION)
MANGALDAI
PIN-78412

Advocate for the Petitioner : MR S MUKTAR

Advocate for the Respondent : SC, IRRIGATION

**BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI**

O R D E R

04.04.2024.

Heard Mr. S. Muktar, learned counsel for the petitioner. Also heard Mr. N. Upadhayay, learned standing counsel for the Irrigation Department appearing on behalf of the State respondent.

2) By filing the Writ Petition, the petitioner is canvassing his grievance for non-payment of contractual bills.

3) The facts of the case of the petitioner is that the petitioner who is a Class-I A registered contractor under the Irrigation Department, Assam, pursuant to the work order issued by the Executive Engineer, Mangaldoi-Dalgaon-Sipajhar Division on 10.06.2022, the petitioner executed satisfactorily the aforesaid work and completed the same in time, in terms of the specification. However, the bills of the petitioner to the tune of Rs.40,82,976/- (Rupees forty lakh eighty two thousand nine hundred seventy six) only is still outstanding.

4) It appears that the aforesaid amount has been admitted by the Department and has also been certified by the jurisdictional Executive Engineer.

5) In view of the above, I am of the considered view that for the ends of justice this Writ Petition can be disposed of in terms of the decision rendered by the Division Bench of this Court in the case of ***Tamsher Ali and others vs. State***

of Assam and others, reported in ***2008 (4) GLT 1***.

- 6) Accordingly, the respondents are directed that the admitted outstanding amount of the petitioner be released within a period of six (6) months, from the date of receipt of certified copy of this order.
- 7) The Writ Petition stands disposed of.
- 8) No order as to cost.

JUDGE

Comparing Assistant