

GAHC010170962022



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

Case No. : WP(C)/5602/2022

TARA TAMANG
W/O. LT. PREM BAHADUR TAMANG, VILL. NO.1 BATAMARI, P.O.
RANGACHAKUA, P.S. JAMUGURI, DIST. SONITPUR, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS.
THROUGH THE COMM. AND SECY., TO THE GOVT. OF ASSAM, PWD,
DISPUR, GUWAHATI-781006.

2:THE CHIEF ENGINEER
PWD (ROADS)
ASSAM
CHANDMARI
GUWAHATI-781003.

3:THE SUPERINTENDING ENGINEER
PWD
TEZPUR ROADS CIRCLE
TEZPUR DIST. SONITPUR
ASSAM.

4:THE EXECUTIVE ENGINEER
PWD
SONITPUR RURAL ROAD
DIVISION BISWANATH CHARIALI
DIST. BISWANATH
ASSAM

Advocate for the Petitioner : MR. S C BISWAS
Advocate for the Respondent : SC, PWD

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

29-05-2024

Heard Mr. S. C. Biswas, learned counsel for the petitioner, who submits that by filing of this writ petition the petitioner prays for a direction to the respondents to pay the petitioner the outstanding bill of Rs.5,99,491.00 along with interest and compensation which is due to the petitioner. The learned counsel submits that the petitioner was given a work order for repairing of SPT bridges on roads leading to polling stations under maintenance fund of ASRB for the year 2006-07 under PWD Tezpur Road Circle, Tezpur (Election Urgent)" on the offered rate of the petitioner @ Rs.13,90,075.00.

The learned counsel submits that the petitioner executed the work and completed the same and submitted the running bills which was paid to him from time to time. However, the outstanding amount of Rs.5,99,491.00 remains unpaid and therefore the petitioner before this Court.

The learned counsel submits that although the writ petition was filed going back on 25.08.2022 but the respondents have not filed their counter affidavit till date. The amount bill is an admitted amount, Court may direct the respondents to make the payment to the petitioner.

Considering the materials available on record and the submission made by the learned counsel, the writ petition is disposed of at this stage with a direction to the respondent no. 2 i.e. Chief Engineer, PWD Roads, Assam to verify the claim of the petitioner within a period of 4 (four) weeks from the date of receipt of the certified copy of this order.

Upon making such verification if it is found that the claim of the petitioner is

correct and genuine, the said authority shall undertake necessary process for payment of the dues to the petitioner in terms of the decision of this Court in the case of ***Tamsher Ali Vs State of Assam*** reported in ***2008 (4) GLT 1***.

Writ petition stands disposed of.

JUDGE

Comparing Assistant