

GAHC010181562022



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

Case : WP(C)/5878/2022

M/S P.K. ENTERPRISE AND ANR.
HAVING ITS REGISTERED OFFICE AT HOUSE NO. 21
BYELANE- 2
LATAKATA

P.O. AND P.S.- BASISTHA

GUWAHATI- 781029.
DIST.- KAMRUP(M)
ASSAM.

2: PRADIP RAJBANGSHI
LAWFUL ATTORNEY/ APPOINTEE OF M/S P.K. ENTERPRISE

S/O- LATE CHAKRADHAR RAJBANGSHI

R/O- HOUSE NO. 21
BYELANE- 2
LATAKATA

P.O. AND P.S.- BASISTHA

GUWAHATI- 781029.
DIST.- KAMRUP(M)
ASSAM.
VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM
WATER RESOURCES DEPARTMENT
DISPUR
GUWAHATI- 781006.

2:THE CHIEF ENGINEER

WATER RESOURCES DEPARTMENT
CHANDMARI
GUWAHATI- 781003

DISTRICT- KAMRUP(M)
ASSAM.
3:THE SUPERINTENDING ENGINEER

WATER RESOURCES CIRCLE
NALBARI CIRCLE
ASSAM
PIN- 781335.
4:THE EXECUTIVE ENGINEER

NALBARI WATER RESOURCES DIVISION
NALBARI

DISTRICT- NALBARI
ASSAM
PIN- 781335.
5:THE DISTRICT DEVELOPMENT COMMISSIONER

INSPECTING OFFICER
DISTRICT- NALBARI
PIN- 781335.
6:THE DEPUTY COMMISSIONER
NALBARI
DISTRICT- NALBARI- 781335.
7:THE REVENUE DEPARTMENT
THROUGH THE DISTRICT COMMISSIONER
DIST- NALBARI
ASSAM- 781335.
8:THE SECRETARY TO THE GOVT. OF ASSM
FINANCE DEPTT.
DISPUR
GHY
ASSAM-781006.

Advocate for : MR. B D KONWAR SR. ADV.
Advocate for : SC
WATER RESOURCE appearing for THE STATE OF ASSAM AND 7 ORS.

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

Date : 24.05.2024

Heard Mr. P. Doley, learned counsel for the petitioner and Mr. J. Handique, learned counsel for the respondent No. 7. Also heard Mr. S.R. Borah, learned Government Advocate for the respondent Nos. 5 and 6 and Mr. R. Barpujari, learned counsel for the respondent No. 8 as well as Ms. D. Dey, learned counsel for the respondent No. 1. 2. 3 and 4.

By filing this writ petition, the petitioner claims payment of an amount of Rs. 16,92,004/- and further an amount being Rs. 7,48,151/- for the contractual works done and executed by the petitioner i.e. immediate measures to M.E. along B/B of Nadia Drainage Channel from Railway Line to its outfall at river Buradia for 2016-17.

The respondent No. 7 as per affidavit-in-opposition filed on 02.04.2024 in paragraph 7 admits that there are two numbers of pending bill of the petitioner amounting to Rs. 16,90,307/- and the other one being Rs. 7,47,418/-. Considering the same and having regard to the fact that it is an admitted amount, this writ petition is disposed of with the direction to the respondent authorities, more particularly, the respondent No. 2, i.e. the Chief Engineer, Water Resource Department, Chandmari, Guwahati- 781003, District- Kamrup (Metro), Assam to verify the said bills of the writ petitioner within 4 weeks from the date of receipt of the certified copy of this order.

Upon such verification, if the bills are found to be correct and genuine, the process for payment of the same be initiated immediately and the admitted amount be paid to the writ petitioner within a period of 4 (four) months from

the date of making of the verification.

With the above direction, the writ petition is disposed of.

JUDGE

Comparing Assistant