

GAHC010181852024



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

Case No. : WP(C)/4625/2024

M/S POOJA HARDWARE
A REGISTERED FIRM HAVING ITS OFFICE AT BARPETA ROAD, PO AND PS
BARPETA, DIST.- BARPETA, ROAD, ASSAM, REPRESENTED BY ITS SOLE
PROPRIETOR SANDEEP KR. AGARWALLA

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY PUBLIC
HEALTH DEPARTMENT, DISPUR, GUWAHATI- 06

2:THE CHIEF ENGINEER
PUBLIC HEALTH DEPARTMENT
SANITATION
HENGRABARI
GUWAHATI- 36

3:THE EXECUTIVE ENGINEER
PHE
DHUBRI DIVISION
DHUBRI
ASSAM

4:THE EXECUTIVE ENGINEER
PHE
KOKRAJHAR
BTC
ASSAM

5:THE EXECUTIVE ENGINEER
PHE
CHIRRANG DIVISION

BTC
ASSAM

6:THE EXECUTIVE ENGINEER
PHE
BAKSA DIVISION
MUSHALPUR
BAKSA
BTC
ASSAM

7:THE EXECUTIVE ENGINEER
PHE
NALBARI DIVISION
NALBARI
ASSAM

8:THE EXECUTIVE ENGINEER
PHE
UDALGURI
ASSAM

9:THE EXECUTIVE ENGINEER
PHE
SONITPUR
ASSAM

10:THE CHIEF ENGINEER
PHE (WATER) PUBLIC HEALTH ENGINEERING DEPARTMENT
HENGRABARI
GUWAHATI- 36

11:THE EXECUTIVE ENGINEER
PHE (STORE AND WORKSHOP DIVISION) BETKUCHI
GUWAHATI- 78103

Advocate for the Petitioner : MS D DAS,

Advocate for the Respondent : SC, P H E,

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

11.09.2024

Heard Ms. D. Das, learned counsel for the petitioner. Also heard Shri R.R. Gogoi, learned Standing Counsel, PHE.

The petitioner had earlier filed WP(C)/7170/2021 for a direction towards consideration for payment of contractual dues. The said writ petition was disposed of on 09.03.2022. However, it is submitted that in the said writ petition, the present respondent nos. 10 & 11 were not impleaded as parties and therefore, the order has not been able to be implemented. The present writ petition has been instituted with the same relief which was made in the earlier writ petition WP(C)/7170/2021. There cannot be another adjudication of the same issue which has been decided and has attained finality.

Writ petition cannot be instituted for adding certain parties in a disposed of matter. The petitioner may take the recourse of filing a clarificatory application in the earlier writ petition by way of a review, if so advised.

Writ petition is held to be not maintainable and is accordingly dismissed.

JUDGE

Comparing Assistant