

GAHC010182022024



2024:GAU-AS:11865

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

Case No. : WP(C)/4540/2024

SHRIRAM RABIDAS
SON OF SRI BHOLARAM RABIDAS,
R/O- W/NO. 13, GURU NANAK NAGAR,
P.O.- BONGAIGAON,
P.S.- DHALIGAON,
DISTRICT- BONGAIGAON, BTC, ASSAM.

VERSUS

THE BODOLAND TERRITORIAL COUNCIL AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, BTC,
P.O. AND DIST.- KOKRAJHAR.

2:THE SECRETARY CUM NODAL OFFICER
(5TH ASFC) PWD
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR P.O. AND DISTRICT- KOKRAJHAR
ASSAM.

3:THE ADDL. CHIEF ENGINEER CUM DIRECTOR AND CUM COUNCIL
HEAD OF DEPARTMENT (CHD)
PWD (ROADS AND BRIDGES)
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR ASSAM.

4:THE SUPERINTENDING ENGINEER
P.W.D. (R AND B) CIRCLE
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR.

5:THE EXECUTIVE ENGINEER
PWD CHIRANG (R AND B) DIVISION
KAJALGAON BTC
ASSAM.

6:THE EXECUTIVE ENGINEER
PWD
CHIRANG (R AND B) DIVISION
KAJALGAON
BTC ASSAM

Advocate for the Petitioner : MR R DHAR, MRS. A BASUMATARY,MR B C MUCHAHARY

Advocate for the Respondent : SC, BTC, SC, PWD

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 29.11.2024

Heard Mr. B. C. Muchahary, learned counsel for the petitioner. Also heard Mrs. R. B. Bora, learned counsel for the BTC.

2. The petitioner's case is that the petitioner completed the construction of ICBP road from Kaliagaon to Amguri, via Lakhimpur under the 5th Assam State Commission during 2018-2019, at an estimated value of Rs.3,49,44,595/-. Though The petitioner has been paid a certain amount of his contractual dues, the respondents have not paid the balance amount of Rs.53,32,415/-. He accordingly prays for a direction to the respondents for payment of his balance dues.

3. Mrs. R. B. Bora, learned counsel for the BTC submits that the petitioner is to be paid the outstanding balance amount of Rs.53,32,415/-. She submits that the said amount will be paid as and when funds are received from the Government of Assam.

- 4.** I have heard the learned counsels for the parties.
- 5.** The affidavit-in-opposition filed by the respondent No. 2 shows that the respondents have admitted that they owe the petitioner the outstanding balance contractual dues, amounting to Rs.53,32,415/-.
- 6.** In view of the above admission made by the respondents, the respondents are directed to pay to the petitioner the admitted outstanding dues, within a period of 4 (four) months, from the date of receipt of a certified copy of this order.
- 7.** The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant