

GAHC010183662021



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

Case No. : WP(C)/5884/2021

SARAWGI PETROLEUM AGENCY AND ANR
A PARTNERSHIP FIRM HAVING ITS DEALERSHIP AT 31C NH ROAD, PADMA
BILL, PO GOSSAIGAON, BTAD, KOKRAJHAR, 783360

2: ANKIT PATNI
AUTHORISED REPRESENTATIVE AND SIGNATORY OF SARAWGI
PETROLEUM AGENCY
RESIDENT OF FLAT NO. 303
SEWDA COMPLEX
CHATRIBARI
GUWAHATI 78100

VERSUS

THE STATE OF ASSAM AND 2 ORS
THROUGH THE SECRETARY TO THE GOVT. OF ASSAM, PUBLIC HEALTH
ENGINEERING DEPARTMENT, DISPUR GUWAHATI 781006

2: THE CHIEF ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT
GOVT. OF ASSAM
HENGABARI
GUWAHATI

3: THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT
GOSSAIGAON DIVISION
GOSSAIGAON
KOKRAJHAR
ASSAM

4: BODOLAND TERRITORIAL COUNCIL
REPRESENTED BY THE PRINCIPAL SECRETARY
BODOFA NAGAR

KOKRAJHAR- 783370

Advocate for the Petitioner : MR D KHAN, MS. S NEWAR

Advocate for the Respondent : SC, P H E, SC, BTC

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 17.09.2024

Heard Ms. M Hazarika learned senior counsel assisted by Ms. S Newar learned counsel for the petitioners and Mr. S. Borah learned standing counsel, BTC.

The grievance raised in the writ petition is that though the petitioners from their retail outlet situated at Gossaigaon, Kokrajhar supplied High Speed Diesel (HSD) on a regular basis to the respondents in the Public Health Engineering Department; the said respondents have not yet paid the dues payable to them and in that process, an admitted amount of Rs.29,19,542 is yet to be paid to the petitioners.

In support of such contention, the petitioners had also annexed a statement showing the details of bills annexed as Annexure – 1 prepared purportedly by the Executive Engineer (PHE), Gossaigaon Division, Gossaigaon.

According to Mr. Borah, learned standing counsel, BTC the authorities shall require to verify the details of such proposal sent by the Executive Engineer, PHE and to find out the veracity and after

completion of such verification, the admitted amount shall be paid to the petitioners within a specific time period.

In view of the aforesaid submission, the present writ petition is disposed of by directing the respondent No.4 to verify the claim of the petitioners as regards outstanding liabilities against fuel bills/supply of fuel as well as the proposal submitted by the Executive Engineer, Gossaigaon Division, Gossaigaon by way of Annexure – 1 dated 02.08.2021. Such verification shall be completed within a period of one month from the date of receipt of a certified copy of this order. On the basis of outcome of such verification, the amounts admitted by the Principal Secretary, BTC be paid to the petitioners within a period of two months from the date of verification.

The writ petition stands disposed of with the aforesaid terms.

JUDGE

Comparing Assistant