

GAHC010189672024



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

Case No. : WP(C)/4779/2024

JYOTIRMOY SARMA
S/O- LATE PRAMOD CHANDRA SARMA,
R/O- WARD NO. 10, BHABERGHAT,
P.O. AND P.S. - MANGALDAI,
DIST.- DARRANG, ASSAM, PIN- 784125.

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
WATER RESOURCES DEPARTMENT,
DISPUR, GUWAHATI-6, ASSAM.

2:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
CHANDMARI
GUWAHATI-3
ASSAM.

3:THE SUPERINTENDING ENGINEER
SOUTHERN ASSAM CIRCLE
WATER RESOURCES DEPARTMENT
CHANDMARI
GUWAHATI-3.

4:THE EXECUTIVE ENGINEER
MANGALDAI WATER RESOURCES DIVISION
MANGALDAI
DISTRICT- DARRANG
ASSAM

Advocate for the Petitioner : MR. P K MAZUMDAR, MR. R K MAZUMDAR

Advocate for the Respondent : SC, WATER RESOURCE,

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

23.10.2024

Heard Mr. P.K. Mazumdar, learned counsel for the petitioner, who submits that in view of the stand taken by the State respondents that the payment of the balance amount of Rs.2,63,959/- could not be done due to non release of funds by the Ministry of Jal Shakti, he would like to withdraw the present writ petition and file the same afresh, by adding the Ministry of Jal Shakti and the Brahmaputra Board as parties in the fresh writ petition to be filed.

2. Ms. R. Deka, learned counsel for the Water Resources Department submits that though 99% of the petitioner's bill amount of Rs.1,59,44,220/- has been paid, the remaining amount of Rs.2,63,959/- has not been paid due to the fact that the Ministry of Jal Shakti has not released the entire 90% share of the funds for payment of the contractual bills, in respect of the schemes undertaken by the Centre and the State respondents.

3. In view of the prayer made by the petitioner's counsel that he would like to file the writ petition afresh and keeping in view the submission made by Ms. R. Deka, this Court is of the view that the prayer of the petitioner's counsel should be allowed.

4. Accordingly, the writ petition stands dismissed as withdrawn, with liberty as prayed for.

JUDGE

Comparing Assistant