

GAHC010216742023



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

Case No. : WP(C)/5704/2023

SOMER ALI
S/O- HAJI SUKUR ALI,
R/O- RAJMITAPANTHAR, GOALPARA, ASSAM, PIN-783129

VERSUS

THE STATE OF ASSAM AND 2 ORS
TO BE REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM, PHE DEPARTMENT, DISPUR, GUWAHATI-06

2:THE CHIEF ENGINEER
PHE
WATER
ASSAM
HENGRABARI
GUWAHATI-36

3:THE ADDL. CHIEF ENGINEER
(PHE)
LOWER ASSAM ZONE
CHANDMARI
GUWAHATI-2

Advocate for the Petitioner : MR. M H LASKAR

Advocate for the Respondent : SC, P H E

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

ORDER

19.01.2024

Heard Shri MH Laskar, learned counsel for the petitioner. Also heard Shri I Borthakur, learned counsel representing the Public Health Engineer (PHE) Department.

Shri Borthakur, learned counsel has submitted that he has received instructions in this case.

In view of the instructions received whereby the grievance expressed in this writ petition is consented to be considered, the writ petition is disposed of at the admission stage. However, it is necessary to put on records the basic facts.

The petitioner is a registered Class-1 (C) contractor under the PHE Department and his registration was renewed for the year 2022-2023. The grievance of the petitioner is, however, pertained to non-renewal of the registration. It is averred in the writ petition that necessary application was also submitted in this regard in spite of which, no action has been taken for renewal of the registration.

Shri Borthakur, learned counsel for the Department has, however, submitted that as per instructions received by him, the Department does not have any objection in considering the renewal provided the necessary formalities are fulfilled by the petitioner. He further submits that there is a new procedure adopted by the Department for undertaking the exercise of renewal and it is only because of the fact that the petitioner had not applied under the new procedure that his case for renewal has not been able to be processed.

Though a statement has been made in the petition that the petitioner had submitted all the requisite documents, in view of the submissions made on behalf of the Department, this writ petition is closed by providing that the petitioner may apply for renewal in terms of the new procedure adopted by the Department and on receipt of such documents/testimonials, the case of the petitioner be considered and appropriate steps be taken by the Department expeditiously.

The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant