

GAHC010217622018



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

Case No. : WP(C)/6830/2018

SANJOY KUMAR DESHMUKH
S/O- LT SUSHIT KUMAR DESHMUKHA, R/O- C/O- DEBABRATA
BHATTACHARJEE, ROYNAGAR, WARD NO 25, P.O. KARIMGANJ, DIST-
KARIMGANJ, PIN- 788711, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE SECY. TO THE GOVT. OF ASSAM, WATER RESOURCES DEPTT.,
DISPUR, GHY-6, ASSAM

2:SECRETARY
TO THE GOVT. OF ASSAM
WATER RESOURCES DEPTT.
DISPUR
GHY-6
ASSAM

3:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GHY-6

4:THE CHIEF ENGINEER
WATER RESOURCES DEPTT.
ASSAM
CHANDMARI
GHY-3

5:THE SUPERINTENDING ENGINEER
HAILAKANDI W. R. CIRCLE
HAILAKANDI

6:THE EXECUTIVE ENGINEER
KARIMGANJ
W.R. DEPTT.
KARIMGANJ

7:THE ASSTT. EXECUTIVE ENGINEER
W.R.SUB DIVISION
KARIMGANJ

Advocate for the Petitioner : MR. D J BARMAN

Advocate for the Respondent : SC, WATER RESOURCE

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

22.03.2024

1. No one appears for the petitioner on call. Ms. A. Lodha, learned counsel appears for the respondent nos.1, 2, 4, 5, 6 & 7, while Ms. R.M. Barua, learned counsel appears for the respondent no.3.
2. The matter pertains to non-payment of contractual bills. As per paragraph-5 of the affidavit-in-opposition filed by the respondent no.4, i.e. the Chief Engineer, Water Resources Department, only an amount of Rs.12,274/- is payable to the petitioner. Paragraph-5 of the vit-in-opposition filed by the respondent no.4 states as follows :

“5. That your deponent categorically denies the correctness of the statements made in paragraphs 6 and 7 to the writ petition. It is categorically stated that out of total billed amount of Rs.5,67,274/- against 4 works and an amount of Rs.5,55,000/- has already been paid to the petitioner leaving only a meager amount of Rs.12,274/- payable to him.”

3. Ms. A. Lodha has submitted letter no.PN.80/CPC/2013-14/97 dated 03.05.2023 issued by the Executive Engineer, Karimganj W.R. Division, Karimganj to the Chief Engineer (Legal Cell) Water Resources Department stating that the balance amount payable to the petitioner is Rs.12,274/-.
4. In view of the above, the respondents should pay the said admitted amount of Rs.12,274/- to the petitioner within a period of 1 (one) month from today.
5. As the petitioner has been absent on the last date also, this Court is not going further into the issue.
6. The writ petition is accordingly dismissed for non-prosecution.

JUDGE

Comparing Assistant