

GAHC010220522023



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

Case No. : Cont.Cas(C)/605/2023

SAGIR AHMED
S/O HAFIZUR RAHMAN, R/O HATIGAON, NATBOMA, GUWAHATI-38, P.O.
AND P.S.-HATIGAON, DIST- KAMRUP (M), ASSAM

VERSUS

RAVI KUMAR SINHA AND 5 ORS
THE UNION OF INDIA TO BE REPRESENTED BY THE UNDER SECRETARY,
MINISTRY OF YOUTH AFFAIRS AND SPORTS, DEPARTMENT OF SPORTS,
SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD, NEW DELHI, PIN-
110001

2:SANDIP PRADHAN
DIRECTOR GENERAL
SPORTS AUTHORITY OF INDIA
JAWAHARLAL NEHRU STADIUM COMPLEX (EAST GATE)
LODHI ROAD
NEW DELHI
PIN-110001

3:KAUSHAR JAMIL HILALY
IAS
COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
SPORTS AND YOUTH WELFARE DEPARTMENT
ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI-6

4:KAUSHAR JAMIL HILALY
IAS
(IN CHARGE) DIRECTOR GENERAL

SPORTS AUTHORITY OF ASSAM SUPER MARKET
BHOGESWARI PHUKANANI INDOOR STADIUM
DISPUR
GUWAHATI-6

5:PRADIP TIMUNG
SECRETARY/DIRECTOR
SPORTS AUTHORITY OF ASSAM
SUPER MARKET
BHOGESWARI PHUKANANI INDOOR STADIUM
DISPUR
GUWAHATI-6

6:ANANTA SAIKIA
THE FINANCE AND ACCOUNTS OFFICER
SPORTS AUTHORITY OF ASSAM
DISPUR
GUWAHATI-

Advocate for the Petitioner : MR. M H RAJBARBHUIYAN

Advocate for the Respondent : MR. A K RAY (R3 TO 6)

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

18.03.2024

1. Heard Ms. R. Begum, learned counsel for the petitioner and Ms. A. Gayan, learned CGC for the respondent No.2. Mr. I. Gogoi, learned counsel appears for the respondent Nos. 3 to 6.

2. This Court, vide order dated 30.11.2022 passed in WP(C) No. 5565/2020, had directed the respondents in the writ petition, i.e., Sports Authority of Assam and the PWD Department, including the Union of India, to pay to the petitioner a sum of Rs.11,00,000/- for improvement/up-gradation of toilet block etc. in the Sarusajai Sports Complex. This Court had also directed that the outstanding

amount of Rs.11,00,000/- would carry interest at prevalent bank interest rates, from the date the work was executed by the petitioner till payment was made by the respondent authorities.

3. The counsels for the parties submit that though the principal amount of Rs.11,00,000/- has been paid and received by the petitioner, this Court in the order dated 30.11.2022 has not specified the interest payable by the respondents. As such, the interest on the principal amount has not been paid.

4. Ms. A. Gayan, learned CGC appearing for the respondent No.2 and Mr. I. Gogoi, learned counsel learned counsel for the respondent Nos. 3 to 6 submit that in view of the interest rate not being specified by this Court in the order dated 30.11.2022 passed in WP(C) No. 5565/2020, the interest payable is not known to the respondents. They submit that I.A.(Civil) No. 129/2024 has been filed to ascertain the interest rate that is to be paid by the respondents. Once the interest rate payable is known to the respondents, the same would be paid to the petitioner by the end of 31st March, 2024.

5. On perusing the order dated 30.11.2022 passed in WP(C) No. 5565/2020, it is seen that the interest payable has not been specified by this Court on the principal amount of Rs.11,00,000/-, which has been paid to the petitioner.

6. In this regard, I.A. (Civil) No. 129/2024 has been decided by this Court today, regarding the interest payable by the respondents to the petitioner on the principal amount of Rs.11,00,000/-, vide order dated 18.03.2024 passed in I.A. (Civil) No.129/2024. This Court has directed that the interest amount should be calculated @7% per annum on the principal amount, which should be calculated

from the date of execution of the work till final payment to the writ petitioner.

7. Ms. A. Gayan, learned CGC appearing for the respondent No.2 submits that the interest amount will be paid within this month.

8. In view of the above facts and on considering the submission of the parties, the contempt petition stands closed, as no case of contempt is made out at this stage.

JUDGE

Comparing Assistant