GAHC010230942023

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

Case No. : WP(C)/6109/2023

DINAMANI HALOI
S/O SRI RAJENDRA NATH HALOI, R/O VILL-BIHAMPUR, P.O.-BIHAMPUR, P.S.-BELSOR, DIST- NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-6

2:THE PRINCIPAL SECRETARY
BTC
KOKRAJHAR
P.O. AND DIST-KOKRAJHAR
ASSAM
PIN-783370

3:THE DIRECTOR
PANCHAYAT AND RURAL DEVELOPMENT
BTC
KOKRAJHAR
PIN-783370

4:THE BLOCK DEVELOPMENT OFFICER
JALAH DEVELOPMENT BLOCK
P.O.-JALAGHAT
DIST-BAKSA
ASSAM
PIN-781327

5:THE CIRCLE OFFICER

JALAH REVENUE CIRCLE
JALAGHAT
BAKSA
ASSAM
PIN-781327

6:COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-

Advocate for the Petitioner : DR. B AHMED, MR K UDDIN,MR. N HAQUE,MR. A K AZAD,MR M HUSSAIN

Advocate for the Respondent : SC, P AND R.D., SC, BTC,SC, FINANCE

BEFORE

THE HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

Order

21.08.2024

Heard Mr. N Haque, learned counsel for the petitioner and Mr. S Bora, learned standing counsel, BTC.

It is the case of the petitioner that pursuant to a tender process, a work order was issued in favour of the petitioner by the Block Development Officer, Jalah Development Block, Jalaghat, Baksa for execution of work ,namely " Construction of RCC Slab type Culvert with approaches on Khanthalguri village road at Khanthalguri "

For the aforesaid work, Work Completion Certificate has also been issued but dues amounting to 41,79,031.00 has not been paid even after repeated representation.

At this stage Mr. Bora, learned standing counsel for BTC submits that the matter may be relegated to the competent authority to consider the claim of the petitioner and after verification, if it is found that the amount due is admitted, the authority shall definitely pay such amount within a period of six weeks from the date of verification.

The learned counsel for the petitioner submits that the matter may be disposed of as proposed by Mr Bora.

In view of the aforesaid consensus, the present writ petition is disposed of by directing the competent respondent authority to consider the claim of the petitioner for payment of Rs.41,76,031.00 after due verification whether the petitioner is entitled for such payment and if it is found that such amount is due, the payment be made within six weeks from the date of determination.

The determination be made within six weeks from the date of receipt of a certified copy of this order to be furnished by the petitioner before the competent respondent authority.

The petitioner shall be at liberty to file a fresh representation along with a copy of this order.

This disposes of the writ petition.

JUDGE

Comparing Assistant