

GAHC010244312022



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

Case No. : WP(C)/7821/2022

SURUJ KR BORDOLOI
S/O- BHABA KANTA BORDOLOI, R/O- VILL- NA DOLOIBORI P.O.
BORCHILA, DIST.- MORIGAON, ASSAM, PIN- 782515

VERSUS

TIWA AUTONOMOUS COUNCIL AND ANR
MORIGAON, DIST.- MORIGAON, PIN- 782105, ASSAM, REP. BY THE
PRINCIPAL SECRETARY

2:THE PRINCIPAL SECRETARY
TIWA AUTONOMOUS COUNCIL
MORIGAOM
DIST.- MORIGAON
PIN- 782105
ASSA

Advocate for the Petitioner : Mr. P. Borah, Mr. N.J Khataniar

Advocate for the Respondent : None appears

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 17.07.2024

Heard Mr. P. Borah, the learned counsel appearing on behalf of the petitioner.
None appears on behalf of the respondents on call.

2. The instant writ petition has been filed by the petitioner being aggrieved by the action on the part of the respondent authorities is not releasing the amount to which the petitioner claims to be entitled for completing the work of construction of road with metaling from Bijoypur L.P.S to Rangmili.

3. From a perusal of the writ petition, it reveals that the respondent authorities have issued a work order for construction of road with metaling from Bijoypur L.P.S to Rangmili and the total value of the said work was Rs.10 Lakhs. Out of the said amount, the petitioner was released an amount of Rs. 6 Lakhs and the remaining amount was to be released subject to production of the M.B. Vouchers, Utilisation Certificate, completion certificate and one photograph before the start of the scheme and one photograph during the work and one photograph after the completion of the scheme with signboard duly signed by the President and the Member Secretary.

4. The case of the petitioner is that pursuant to the work order issued, the petitioner has duly completed the work and the necessary documents in support thereof have been duly submitted. However, the respondent authorities have not paid the said amount and it is under such circumstances the instant writ petition has been filed challenging the actions of the respondent authorities in not releasing the payment of the remaining amount of Rs. 3,60,000/-.

5. This Court has duly taken note of that pursuant to the issuance of notice, the respondent authorities have not filed any affidavit-in-opposition denying to the allegations made in the writ petition.

6. This Court upon hearing the learned counsel appearing on behalf of the petitioner and upon perusal of the materials on record issues a direction upon the respondent authorities to make necessary verifications as regards the petitioner's entitlement on the basis of materials which have been already been submitted by the petitioner and upon verifying if it is found that the petitioner is entitled to the said amount, the said amount be released to the petitioner as expeditiously as possible within a period of 6 (six) months from the date of certified copy of instant order is served on the respondent No.2.

7. With the above, the instant writ stands disposed of.

JUDGE

Comparing Assistant