

GAHC010265522024



2024:GAU-AS:12797

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

Case No. : WP(C)/6742/2024

KHANINDRA KALITA
SON OF LATE SANDHI RAM KALITA, VILLAGE- HAHARA, P.O. AND P.S.
KAMALPUR, DIST.- KAMRUP (ASSAM), MOB. NO. 8473925336

VERSUS

STATE OF ASSAM AND 4 ORS.
REPRESENTED BY ITS COMMISSIONER AND SECRETARY, DEPARTMENT
OF TRANSFORMATION AND DEVELOPMENT (T AND D) DISPUR, GHY-06

2:DEPUTY COMMISSIONER
TAMULPUR
DISTRICT
BTC-CUM-CHAIRMAN
BA-RAJA BATHOU ASHRAM RESIDENTIAL SCHOOL PROJECT
IMPLEMENTATION COMMITTEE
JAMGURI
P.O.- HAJARAGAON
DIST.- TAMULPUR
BTC

3:SRI KANTESWAR BARGOYARI
MEMBER SECRETARY
BA-RAJA BATHOU ASHRAM RESIDENTIAL SCHOOL PROJECT
IMPLEMENTATION COMMITTEE
JAMGURI
P.O.- HAJARAGAON
DIST.- TAMULPUR
BTC

4:SRI DEVAJIT CHANDRA DEKA
CONSULTANT ENGINEER
BA-RAJA BATHOU ASHRAM RESIDENTIAL SCHOOL PROJECT

IMPLEMENTATION COMMITTEE
JAMGURI
P.O.- HAJARAGAON
DIST.- TAMULPUR
BTC

5:EXECUTIVE ENGINEER
PWD (BUILDING)
UDALGURI
MEMBER
BA-RAJA BATHOU ASHRAM RESIDENTIAL SCHOOL PROJECT
IMPLEMENTATION COMMITTEE

Advocate for the Petitioner : MR B KAKATI, MR A ALI

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 17-12-2024

Mr. B. Kakati, learned counsel for the petitioner prays that he may be allowed to withdraw the writ petition with liberty to file afresh with supporting documents.

2. Mr. K. Gogoi, learned counsel appears for the respondent Nos.1 & 2.

3. A perusal of the writ petition shows that there is no work order issued to the petitioner. In fact, the petitioner's claim for payment of contractual dues is that he had been verbally appointed as a contractor by the School Management Committee, due to which his contractual bill amounted to Rs.40 lakhs.

4. The prayer of the petitioner's counsel is allowed.

5. The writ petition is dismissed as withdrawn. The petitioner is allowed to file the writ petition afresh, if there are supporting documents to show that he had been appointed to construct the building and there has been an admission of his dues by the respondents.

JUDGE

Comparing Assistant