

GAHC020000682024



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

Case No. : WP(C)/19/2024

MR. TOIKA SUMI,
S/O VIHOSHE SUMI,
R/O SEMATILLA,
DIMAPUR, NAGALAND

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
WORKS AND HOUSING DEPARTMENT,
GOVERNMENT OF NAGALAND,
NAGALAND, KOHIMA 2:THE FINANCE COMMISSIONER

GOVERNMENT OF NAGALAND

NAGALAND
KOHIMA

3:THE CHIEF ENGINEER

PWD (R AND B)

NAGALAND
KOHIMA

4:THE EXECUTIVE ENGINEER

PWD (R AND B)

DIMAPUR
NAGALAN

Advocate for the Petitioner : MOA JAMIR

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HON'BLE MR. JUSTICE NELSON SAILO**

ORDER

16.02.2024

Heard Mr. Moa Jamir, learned counsel for the petitioner, who submits that by filing this writ petition, the petitioner has sought for a direction to the respondents to pay him the amount due to him for having supplied stone metal on four (4) occasion.

The learned counsel submits that his supply amount is Rs. 4,98,000/- and the total amount comes to Rs. 19,92,000/-. The learned counsel submits that the same is only an admitted liability which is clear from the Measurement Book prepared by the Executive Engineer, PWD (R&B) Dimapur Division, Nagaland and also, Communication dated 30.01.2019 of the Executive Engineer, PWD (R&B) Dimapur Division, Nagaland to the Chief Engineer, PWD (R&B) Dimapur Division, Nagaland (Annexure - B), wherein, it has been clearly indicated the total amount due to the petitioner and to another Contractor is Rs. 29,88,000/-. The learned counsel referring to page No. 28 of the writ petition submits that the amount due to the petitioner is given at Serial Nos. 1, 2, 3 & 4 of the said chart. The learned counsel therefore submits that a direction may be issued to the respondent authority concerned to disburse the amount due to the petitioner.

Considering the nature of grievance projected by the petitioner, this writ petition is disposed of with a direction to the

respondent authorities to examine the claim of the petitioner and if the said claim is found to be correct and genuine, the amount due to the petitioner should be disbursed to him within a period of four (4) months from the date of receipt of a certified copy of this Order. The petitioner shall furnish a certified copy of this Order along with the writ petition to the respondent Nos. 3 & 4, who shall thereafter take necessary action as directed herein above.

With the above observation and direction, the writ petition stands disposed of.

Sd/-

JUDGE

Comparing Assistant