

GAHC020001522024



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

**Case No. : WP(C)/50/2024**

M/S H. PUJOK AND SONS  
BEARING NCSU REGD. NO. 1219 AND NPWD REGD. NO. 338  
REPRESENTED BY ITS PROPRIETOR SHRI H. PUJOK KONYAK  
S/O HONGNAO  
PERMANENT R/O MON TOWN  
MON NAGALAND

VERSUS

THE STATE OF NAGALAND AND 5 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE  
GOVT. OF NAGALAND, NAGALAND KOHIMA

2:THE COMMISSIONER AND SECRETARY TO THE  
GOVT. OF NAGALAND  
TOURISM DEPARTMENT  
NAGALAND KOHIMA

3:THE DIRECTOR  
DIRECTORATE OF TOURISM  
NAGALAND KOHIMA

4:THE ADDITIONAL DIRECTOR (CSS)  
DIRECTORATE OF TOURISM  
NAGALAND KOHIMA

5:THE EXECUTIVE ENGINEER  
TOURISM DEPARTMENT  
NAGALAND KOHIMA

6:THE FINANCE COMMISSIONER  
FINANCE DEPT.  
NAGALAND KOHIM

**Advocate for the Petitioner** : SENTIYANGER

**Advocate for the Respondent** : GOVT ADV NL

**BEFORE  
HON'BLE MR. JUSTICE KAKHETO SEMA**

**ORDER**

**Date : 02-04-2024**

Heard Ms. V. Therie, learned counsel for the petitioner.

The case of the petitioner in brief is that by the work order No. TOUR/ENGG-631/2013-14 dated 10/02/20214 issued by the Addl. Director (CSS), Directorate of Tourism, Nagaland, Kohima, under the Integrated Tourist Travel Circuit at Aboi-Chaohachingnyu-Changlang-Jakphang-Changlangshu-Sangsanguyu, the petitioner's firm was awarded the work for "Construction of Internal pavement at Jakphang" for a contractual amount of Rs. 3.61/- lakhs (Rupees three lakh sixty one thousand) only.

The project was successfully completed by the petitioner and the technical officers has also physically verified the spot. However, as the outstanding amount of Rs. 3.61/- lakhs was not paid to the petitioner, the representation dated 18/09/2023 was submitted to the Director of Tourism, Nagaland, Kohima for release of the pending bill relating to the work. However, no action has been taken on the representation submitted by the petitioner. It is also the case of the petitioner that the work completion and utilization certificate dated 15/03/2024 has also been issued by the office of the Jakphang village council, district-Mon, Nagaland and though the certificate dated 15/03/2024 has been brought to the knowledge of the concerned authorities, no effort has been made by the respondents to release the outstanding bill to the petitioner.

It is further the case of the petitioner that the amount of Rs. Rs. 3.61/- lakhs (Rupees three lakh sixty one thousand) only which is the total amount for undertaking the construction is not disputed by the respondent authorities and

accordingly, the respondent authorities should be directed to pay the outstanding amount of Rs. 3.61/- lakhs (Rupees three lakh sixty one thousand) only to the petitioner.

Mr. M. Longkumer, the learned Government Advocate for the State respondents submits that the writ petition can be disposed with the direction to the State respondents to dispose the representation dated 18/09/2023 submitted by the petitioner and to consider the payment of the outstanding amount of Rs. 3.61/- lakhs (Rupees three lakh sixty one thousand) only to the petitioner, if the same, is not disputed by the State respondents. The learned counsel for the petitioner is not averse to the submission made by the State counsel.

In the light of the submissions made by the learned counsel for the parties, the writ petition is disposed of, with the direction to the State respondents to, dispose of the representation dated 18/09/2023 submitted by the petitioner and to consider the payment of outstanding amount of Rs. 3.61/- lakhs (Rupees three lakh sixty one thousand) only to the petitioner, for executing the "Construction of Internal pavement at Jakphang", if the petitioner has already executed the work and there is no dispute on the payment of the outstanding liability for the work done and strictly in accordance with law.

The direction given above shall be carried out by the respondents, more particularly, the respondent No. 2, 3 & 4, within a period of 90(Ninety) days from the date of receipt of the copy of the order. The rejection of the representation dated 18/09/2023 by the authorities concerned, if any, shall be made by a speaking order, and the same shall be made available to the petitioner without delay.

Writ petition disposed.

Sd/-

**JUDGE**

**Comparing Assistant**