

**JHIGH COURT OF TRIPURA
AGARTALA**

WP(C) 69 of 2025

Sri Bimalendu Chakraborty

---Petitioner(s)

Versus

The State of Tripura and Another

---Respondent(s)

For Petitioner(s)	:	Mr. Abhijit Sengupta, Advocate.
For Respondent(s)	:	Mr. P. Gautam, Sr. GA.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

13.02.2025

Heard learned counsel for the parties.

[2] This is a petition under Article 226 of the Constitution of India for seeking the following relief(s):

- i. *Issue Rule calling upon the respondents to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, calling for the records, lying with the respondents, for rendering substantial and conscionable justice to the petitioner;*
- ii. *ISSUE RULE, calling upon the respondents, to show cause as to why a Writ of Mandamus and/or in the nature thereof, directing the respondents to consider the case of the petitioner in the light of his demand notice dated 18.11.2024 (Annexure 5 to the writ petition) in accordance with law within a definite period, as may be determined by the Hon'ble High Court;*
- iii. *ISSUE RULE, calling upon the respondents, to show cause as to why a Writ of Mandamus and/or in the nature thereof, directing the respondents to pay the admitted 20th RA bill and final bill to the petitioner within a definite period, as may be determined by the Hon'ble High Court;*
- iv. *After hearing the parties, be pleased to make the Rules absolute in terms of Prayer i, ii and iii above;*
- v. *Costs of and incidental to this proceeding;*
- vi. *Any other relief(s) as to this Hon'ble High Court may deem fit and proper; AND For this gracious act of kindness the humble petitioner above named as in duty bound shall ever pray.*

[3] It is the case of the petitioner that the respondent no. 2 awarded the work, namely, namely, "Composite Tripura Legislative Assembly Building and New Secretariat Building at New Capital Complex Agartala/Package-3/ Infrastructure work/Phase-II", to the petitioner by Work Order dated 07.11.2009. The respondents paid 1st to 19th RA bill to the petitioner and the respondents prepared the 20th RA and final bill as per

measurement book of the said work and after preparation of 20th RA and final bill, the respondent no. 2 by a communication dated 24.08.2023 sent final deviation statement and final extra item statement of the said work to the Superintending Engineer for necessary approval but, the said bill has not been paid to the petitioner till date. When that being the position, the petitioner served a notice of demand upon the respondents by registered post on 18.11.2024. The respondents received the said notice of demand but made no response to the said notice of the petitioner. Hence, this petition.

[4] Heard.

[5] In view of said submission, without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the respondents to consider the case of the petitioner in the light of the demand notice dated 18.11.2024 in accordance with law within a period of three months from the date of receipt of copy of this order. The petitioner is at liberty to provide all the relevant materials to the respondents, if so advised.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE

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