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2026:GAU-AS:11423

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

Case No. : WP(C)/4251/2026

MR ROHINI KAKOTY
S/O- LATE NAGENDRA NATH KAKOTY R/O- HOUSE NO. 31, PATHARKUCHI, BELTOLA, P.O. AND P.S. - BASISTHA, GUWAHATI DISTRICT- KAMRUP (M), ASSAM, PIN NO. 781029

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM, ELEMENTARY EDUCATION DEPARTMENT, ASSAM SECRETARIAT, DISPUR, GUWAHATI-6.

2:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
EDUCATION DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF ELEMENTARY EDUCATION ASSAM
KAHILIPARA
GUWAHATI-19

4:THE FINANCE COMMISSIONER
FINANCE DEPARTMENT
GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR
GUWAHATI-

For the Petitioner(s) : Mr. C. Chakravarty, Advocate

For the Respondent(s) : Mr. G. Bokolial, Jr. GA, Assam
: Mr. A. Phukan, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 12.08.2026

Heard Mr. C. Chakravarty, the learned counsel appearing on behalf the Petitioner and Mr. G. Bokolial, the learned Junior Government Advocate appearing on behalf of the Respondent No.1. I have also heard Mr. A. Phukan, the learned Standing counsel appearing on behalf of the Respondent Nos. 2 and 3.

2. The present writ petition has been filed by the Petitioner being aggrieved by the inaction on the part of the Respondent Authorities in not making payment of his contractual dues to the extent of Rs.2,42,110/- which has been pending from the year 2018-19.

3. This Court has duly perused the materials on record and from a perusal of the materials on record, nothing has been brought on record to show that the Petitioner was issued any

work order. There is nothing on record to show that the Respondents have acknowledged that in pursuance to a work order, the Petitioner had completed the work. No work completion certificate issued by the Respondent Authorities has been enclosed. Mere submission of representation or legal notice in the opinion of this Court is not enough for the purpose of entertaining the instant writ petition more particularly when the Petitioner has approached this court after a hiatus of 8 (eight) years.

4. This Court finds it very pertinent to mention that in a writ proceedings, the Petitioner is not only required to plead the facts but also prove the same by necessary documents. The pleadings as well as the evidence in support of the pleadings have to be part of the writ petition. Mere statements would not be sufficient. In the instant case, as observed above, no evidence in proof of the statements made in the writ petition have been brought on record.

5. Accordingly, this Court does not find the present case to be a fit case for issuance of notice for which the instant writ petition stands dismissed.

6. Before parting with the records, this Court however observes that the dismissal of the instant writ petition for the

reasons aforementioned shall not preclude or prejudice the Petitioner to approach the appropriate Civil Court, if otherwise permissible under law.

JUDGE

Comparing Assistant