**Serial No. 36**
**Regular List**

# HIGH COURT OF MEGHALAYA
# AT SHILLONG

WP(C) No. 395 of 2023 Date of Decision: 06.11.2024

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Shri. Ballensing Ch. Marak
S/o (L) Ratte M. Sangma
R/o Kusimkolgre, Williamnagar,
East Garo Hills District, Meghalaya :::Petitioner

-Vs-

1.The State of Meghalaya represented by the
Commissioner and Secretary, PHE Department
Government of Meghalaya, Shillong, East Khasi Hills

2.Deputy Secretary to the Government of Meghalaya,
Water Resources Department, Shillong, Meghalaya

3.The Chief Engineer, PHE Department Government
of Meghalaya, Shillong, East Khasi Hills

4.Executive Engineer (P.H.E) –cum- Member
Secretary, DWSM, JJM, North Garo Hills District,
Resubelpara, Meghalaya :::Respondents

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**Coram:**

**Hon'ble Mr. Justice H. S. Thangkhiew, Judge**

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| i) | Whether approved for reporting in Law journals etc.: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |

**Appearance:**

For the Petitioner/Appellant(s) : Mr. P.T. Sangma, Adv.

For the Respondent(s) : Mr. S. Sen, GA with
Ms. I. Lyngwa, GA.

***Oral:***

1. The writ petitioner has come before this Court with a prayer for release of the amounts pending for work which he had successfully executed i.e. the balance work of the building of the Executive Engineer (WR), East Garo Hills Division, Williamnagar.

2. Mr. P.T. Sangma, learned counsel for the petitioner has submitted that the writ petitioner on the affidavit filed by the respondents, wherein it is stated that the amount outstanding is Rs.10,30,870/- (Rupees Ten Lakhs Thirty Thousand Eight Hundred and Seventy) only, is prepared to accept the same and bring a closure to the entire matter.

3. Mr. S. Sen, learned GA for the State respondents concurs to the submissions and has taken this Court to Para – 5 and 6 of the affidavit filed on behalf of the respondents, which details the manner in which the work was allotted and also the amounts that were since released to the petitioner.

4. I have heard learned counsel for the parties, it appears from the averments made in the writ petition and in the affidavit that the writ petitioner was settled with work, which was floated by a second tender for the remaining works of the office of the Executive Engineer and that on completion thereof, 87.20% of the cost of the balance civil works had been paid to the writ petitioner. It is noted that as submitted the liability at present is Rs.10,30,870/- (Rupees Ten Lakhs Thirty Thousand Eight Hundred and Seventy) only.

5. In view of the submissions and averments made by the parties on the affidavit, this petition is disposed of with a direction that the petitioner be paid the said amount of Rs.10,30,870/- (Rupees Ten Lakhs Thirty Thousand Eight Hundred and Seventy) only by the respondents within a period of 4(four) months from the date of this order.

6. As ordered above, matter stands closed and disposed of.

**Judge**

Meghalaya
06.11.2024
***"D.Thabah-PS"***

Signature Not Verified
Digitally signed by DARIHUN THABAH
Date: 2024.11.06 16:13:46 IST