



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

Case No. : WP(C)/292/2024

M/S H.T. CONSTRUCTION
REPRESENTED BY ITS PROPRIETOR
MR. H. THONG

SON OF LATE GWANYU THONG
RESIDENT OF H. NO. 27 (B)

SEMA KHEL
NOTUN BOSTI

DISTRICT-DIMAPUR
NAGALAND.
PH.NO.-9436012938

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY CHIEF SECRETARY
GOVERNMENT OF NAGALAND
NAGALAND
KOHIMA

2:THE HOME COMMISSIONER
TO THE GOVERNMENT OF NAGALAND
NAGALAND
KOHIMA

3:THE DIRECTOR GENERAL OF POLICE

POLICE HEADQUARTER
NAGALAND

KOHIMA

4:THE CHIEF ENGINEER
POLICE ENGINEERING PROJECT

NAGALAND
KOHIMA

Advocate for : N. MOZHUI
Advocate for : GOVT ADV NL appearing for THE STATE OF NAGALAND
AND 3 ORS

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

24.07.2025

Heard learned counsel for the petitioner, Mr. N. Mozhui and Ms. Livika, learned Government Advocate for the State respondents.

2. The present case arises out of non-payment of the petitioner's pending bills. It is stated that the petitioner is a Government registered Electrical Contractor having Registration No. CEL/CON/062 under the Government of Nagaland and carries out electrical construction works all over the State of Nagaland.

3. By Work Order dated 20.04.2018, the petitioner was allotted construction works of RCC Type-III (G+1) 4 flats for staff quarter at 7th Nap Bn. Bhandari under MOD 2015-16 (Internal electrification) amounting to Rs. 6,20,200/- (Rupees Six lakhs Twenty thousand Two Hundred only) to be completed within 3 (three) months. The petitioner completed the work within the stipulated time and the work was verified and inspected

by the concerned authorities.

4. Thereafter, Completion Certificate dated 16.05.2018 was issued to the petitioner. However, till date the petitioner has not been paid the pending bills. Being aggrieved, the petitioner is before this Court.

5. On 18.03.2025 this Court had directed the learned Government Advocate to come with proper instructions as to whether the petitioner had undertaken the construction work in question and if yes, why the bill in question for construction has not been released to the petitioner. It was also directed that necessary orders will be passed on the next returnable date. Thereafter, on 11.04.2025, when the present matter was listed, the learned Government Advocate appearing for the State respondents submitted that the case of the petitioner is under consideration and further time was sought. It was also directed that the learned Government Advocate would apprise the Court about the status of payment of admitted liability payable to the petitioner failing which the Court would pass necessary orders. Again on 15.05.2025 the learned Government Advocate prayed for 3 (three) weeks time to obtain the status of the pending bills to be paid to the petitioner. This Court directed that if no instructions are received and the matter is admitted liability the Court would dispose of the petition at the admission stage. On 09.06.2025, the learned Government Advocate again sought for more time to get instructions.

6. Today, when the matter is called, the learned Government Advocate has submitted that the liability is not disputed and the matter is being

processed for payment and, therefore, the State respondents may be given 6 (six) months time to make the necessary payments to the petitioner. Learned Government Advocate submits that in the Work Order it is specifically stated that the payment will be made only as and when the funds is made available by the Government and due to which the payment has not been released as the funds were not made available by the Government; however, efforts are being made to release the said payments.

7. The Court has considered the submissions of the counsel for the parties and has perused the pleadings. It has been noticed that the Work Order is of 20.04.2018 and the petitioner had already completed the work on 16.05.2018. It is now 7 (seven) years since the petitioner had completed the said work; however, the State respondents are yet to release the payments due to the petitioner. It is also seen that the pending bill is not a big amount as it is only an amount of Rs. 6,20,200/-.

8. In view of the above facts and circumstances, the petition is disposed of with a direction to the State respondents to release the payment of Rs. 6,20,200/- to the petitioner within a period of 2 (two) months from the date of receipt of a copy of this Order.

JUDGE

Comparing Assistant