

WP(C) 1608/2008

BEFORE

HON'BLE MR JUSTICE HRISHIKESH ROY

Heard Mr. A M Mazumdar, learned senior counsel appearing for the petitioner. Also heard Ms. H M Phukan, learned Govt. Advocate, who represents all the respondents.

2. By order dated 4.4.2008, the Executive Engineer, Lakhimpur Mechanical Division (Irrigation) (Annexure B) directed the petitioner to lift scrap materials as per the enclosed list for a value of Rs.1,70,000/- and the petitioner made the requisite payment, proof of which is enclosed as Annexure C to the writ petition.

3. Notwithstanding the order passed by the Chief Engineer (Irrigation) on 10.4.2008 (Annexure D) as well as the direction dated 17.4.2008 given by the Executive Engineer (Annexure E), the petitioner has not been permitted to lift the scrap materials despite the deposit of the entire amount due of Rs.1,70,000/- for taking delivery of the materials in question.

4. The petitioner has already submitted a representation dated 18.4.2008 (Annexure F) to the Executive Engineer narrating his grievances with a request for appropriate action in the matter.

5. Considering the fact that directions have already been issued by the highest authorities of the Department, it is considered appropriate to direct that the representation filed by the petitioner on 18.4.2008 be considered and disposed of by the Executive Engineer, Mechanical Division with regard to the grievances raised by the petitioner for non-delivery of the scrap materials.

6. The representation will be disposed of by appropriate action or a speaking order within a period of 3 weeks from the date of receipt of a copy of this Court's order and the petitioner is permitted to furnish a copy of this Court's order along with a copy of the writ petition with all annexure before the competent Authority.

7. The writ petition is disposed of accordingly.