

WP(C) 1311/2010

BEFORE

THE HON'BLE MR. JUSTICE IA ANSARI

Heard Mr. A Choudhury, learned counsel for the petitioner, and Mr. AK Bhuyan, learned Standing Counsel, Inland Water Transport Department, for the respondents.

Upon hearing the learned counsel for the parties and on perusal of the materials on record, I am, as agreed to by the learned counsel for the parties appearing before me, inclined to dispose of the writ petition, at this stage itself, with the following directions:

The respondents claim an amount of Rs. 15,290.00, as payable by the petitioner to the respondents, whereas, according to the petitioner, the respondents are required to pay to him (the petitioner) a sum of Rs. 94,036.00. The petitioner has accordingly sought for adjustment of the claim of the respondents as against the dues, which, according to the petitioner, have not been paid to him by the respondents. The petitioner has, in fact, made, to the respondent No. 2, namely, Director, Inland Water Transport Division, Guwahati, a representation, in this regard, on 04-11-2009 (Annexure-9 to the writ petition).

Considering the matter in its entirety and in the interest of justice, it is hereby directed that the respondents, particularly, respondent No.2, namely, namely, Director, Inland Water Transport Division, Guwahati, shall examine the petitioner's grievances, with regard to adjustment of the dues, by taking into account all relevant factors including the representation, which the petitioner has made in this regard, on 24-11-2009, addressed to the respondent No. 2, namely, Director, Inland Water Transport Division, Guwahati, and take a decision in the matter. Whatever decision is arrived at by the respondent No. 2, the same shall be communicated, in writing, to the petitioner, within a period of six weeks from the date of receipt of a copy of this order by the respondent No. 2, namely, namely, Director, Inland Water Transport Division, Guwahati. The petitioner may furnish, to the respondent No. 2, a certified copy of this order along with a copy of the writ petition and annexure thereto. If the petitioner feels aggrieved by the decision or decisions, which may be reached by the respondent No. 2, or by any order(s), which may be passed by the respondent No.5, the petitioners shall have the liberty to take recourse to such provisions of law as may be permissible. It is further made clear that while making the final order on the petitioner's grievances, the respondents/ authorities concerned shall make a speaking order assigning reason(s) for the decision, which they may reach.