

GAHC040004682020



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

**Case No. : WP(C) 167/2020**

1:M/S AG ENTERPRISES

Jote village, PO/PS Balijan, Papum Pare District, AP, regd. Firm, represented by its power of attorney holder Shri Gollo Tagin, Son of Late Gollo Ridu, resident of Byate village, PO/PS Balijan, Dist. Papum Pare, AP

VERSUS

1:THE STATE OF AP

represented by the Secretary, Govt. of AP, Itanagar

2:The Director

Elementary Education

Govt. of AP

Itanagar

3:The Executive Engineer

Engg. Wing

Department of Education

Govt. of AP

Itanagar

4:The Assistant Engineer

Engg. Wing

Department of Education

govt. of AP

Itanagar

5:The Junior Engineer

Engg. Wing

Department of Education

govt. of AP  
Itanaga

**Advocate for the Petitioner** : T T Tara

**Advocate for the Respondent** : Tagum Jamoh

**BEFORE  
HONBLE MR. JUSTICE SONGKHUPCHUNG SERTO**

**ORDER**

**Date : 29-06-2020**

Heard Mr. J. Jini, learned counsel appearing for the petitioner and Mr. T. Jamoh, learned Standing Counsel (Education Department) appearing for the respondents.

The case of the petitioner as submitted by his learned counsel Mr. J. Jini is that, vide work order No.ED/EW-P/54(WO)/2018-19/183 dated 25.03.2019 and vide work order No.ED/EW-P/54(WO)/2018-19/184 dated 25.03.2019, he was asked to construct one VIP Rostrum at Government Upper Primary School at Langdung in Papum Pare District at the work order value of Rs.4,70,499.00/- and Rs.2,12,187.00/- all together Rs.6,82,686/-. Accordingly, he executed the work and completed the same within the time limit of 45 days, given in the work order. And thereafter, a joint inspection was conducted by the Junior Engineer of the Sub-Division, Assistant Engineer, Engineering Wing, Department of Education and the Executive Engineer, Engineering Wing, Department of Education. And the Engineers who conducted the joint inspection found the work as completed. However, the petitioner was not paid his bill for the work executed. Therefore, he requested the respondents for the same but he did not get positive response. Being aggrieved, the petitioner, through his learned counsel sent a legal notice to the Executive Engineer, Engineering Wing, Department of Education, Government of Arunachal Pradesh on 15.10.2019. On receipt of the same, the Executive Engineer through his letter dated 23.10.2019 informed him that necessary steps have been taken for fresh authorization of the LOC, by the Government for making payment of the pending bill . As such, it is admitted fact that the work has been completed but only payment is pending.

Mr. T. Jamoh, learned Standing Counsel submitted that the respondents have done whatever

that is required to be done on their part and the matter is pending in the Finance Department, once it is cleared from there, they would surely make the payment to the petitioner. Therefore, some reasonable time may be granted to the respondents to make the payment.

In view of the submissions made by the learned counsels and taking into consideration the fact that the work was completed in the month of April 2019, it is directed that the respondents should make the payment within a period of 2 (two) months from the date of receipt of a copy of this order.

The writ petition is disposed of.

**JUDGE**

**Comparing Assistant**