

GAHC010056062024



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

Case No. : WP(C)/1545/2024

MD. ABDUL MATIN
S/O- LATE ILIAS ALI,
R/O- UDALI,
P.O- UDALI, DIST- HOJAI, PIN-782439

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT.
OF ASSAM, PUBLIC HEALTH ENGINEERING, DISPUR, GUWAHATI-6

2:THE EXECUTIVE ENGINEER PHE

HOJAI DIVISION
HOJAI NAGAON DISTRICT-782435

3:THE ASSISTANT EXECUTIVE ENGINEER PHE

HOJAI DIVISION
HOJAI NAGAON DISTRICT-782435

4:THE ACCOUNTS OFFICER (PHE)

HOJAI DIVISION
HOJAI
NAGAON DISTRICT-78243

Advocate for the Petitioner : MS. B CHOWDHURY, IMSENKALA

Advocate for the Respondent : SC, P H E,

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 29.08.2025

Heard Ms. B. Choudhury, learned counsel for the petitioner. Also heard Mr. I. Borthakur, learned Standing Counsel, PHED appearing for all the respondents.

2. By filing this writ petition, the petitioner has challenged the action of the respondent in not disbursing the outstanding dues payable to the petitioner for construction of approach road at Tiniali Gaon PWSS under the programme Non Plan(defunct); Box culvert across approach road of the Tiniali Gaon PWSS under the programme Non Plan (defunct); for laying of distribution pipe line approx. length 3200M (labour charge only) including construction of RCC hydrant pillar 14 Nos., c.c. plateform 14 Nos., drain & valve chamber= 3 Nos. at Tiniali Gaon PWSS under the programme Non Plan(defunct); for construction of RCC sign board of size (0.90x1.20)M at Tiniali Gaon PWSS under the programme Non Plan (defunct); for painting and axillary works of different units along with ancillary works at Tiniali Gaon PWSS under the programme Non Plan (defunct); for supplying and placing of filter media at Tiniali Gaon PWSS under the programme Non Plan (defunct); for supplying and placing of filter media at Tiniali Gaon PWSS under the programme Non Plan (defunct); for repairing of 5 H.P. submersible pump set including supplying, fitting & fixing of all required materials at Tiniali Gaon PWSS under the programme Non Plan (defunct); for construction of double pit low cost latrine with bathroom at Tiniali Gaon PWSS under the programme Non Plan(defunct); for construction of cement concrete drain along the approach road at Tiniali Gaon PWSS under the programme Non Plan (defunct); for renovation of under Ground Reservoir at Tiniali Gaon PWSS

under the programme Non Plan (defunct); for renovation of treatment Plant at Tiniali Gaon PWSS under the programme Non Plan (defunct); for repairing of internal connection between T.P. & UGR with supplying, fitting, fixing of Materials at Tiniali Gaon PWSS under the programme Non Plan (defunct); for the site development inside the campus at Tiniali Gaon PWSS under the programme Non Plan (defunct) for the year 2014-15; for supplying, fitting, fixing, installation, writing of sign board at Lanka PWSS under the programme Non Plan(defunct) for the year 2014-15, under Hojai PHE Division Public Work Supply Scheme.

3. It is the case of the petitioner that upon completion of the works, the petitioner submitted bills amounting to Rs.11,20,886/- before the respondent authorities, and upon due verification, the respondent authorities issued the work completion certificate. Thereafter, the petitioner verbally approached the respondent authorities for release of the said amount, whereupon the respondent authorities assured that the fund would be released; however, till date, no payment has been made in favour of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner had submitted various representations to the respondent authorities for release of the amount. However the said amount of Rs.11,20,886/- has not been paid as on date. Therefore, has prayed for a direction to release the said amount to the petitioner.

5. Considering the above, this Court is of the view that the instant writ petition can be disposed of with a direction to the respondent authorities to verify the claim of the petitioner and if found admitted, shall pay an amount of Rs.11,20,886/- to the petitioner.

6. Accordingly, the writ petition is disposed of with a direction to the respondent authority to verify the claim of the petitioner within 1 (one) month from the date of receipt of the certified copy of this order. In the event, if it is found admitted, same shall be paid within 2 (two) months thereafter.

7. Writ petition stands disposed of.

JUDGE

Comparing Assistant