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2026:GAU-AS:15713

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

Case No. : WP(C)/2327/2026

M/S DIPJYOTI TRADERS
A PROPRIETORSHIP FIRM HAVING ITS OFFICE AT DURGASAROBAR, KAMAKHYA GATE, GUWAHATI, DIST. KAMRUP (M), REPRESENTED BY ITS PROPRIETOR UTPAL KALITA, AGED ABOUT 43 YEARS, S/O- NRIPEN KALITA, R/O HOUSE NO 104, DURGASAROBAR, KAMAKHYA GATE, P.O.- BHARALUMUKH, P.S.- JALUKBARI, DISTRICT- KAMRUP (M)

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM, HOME AND POLITICAL DEPARTMENT, GUWAHATI- 06, DIST.- KAMRUP (M), ASSAM

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI
DIST. KAMRUP (M)

3:THE COMMISSIONER OF POLICE
GUWAHATI POLICE COMMISSIONERATE
KHANAPARA
GUWAHATI
DIST. KAMRUP (M)

4:THE DEPUTY COMMISSIONER OF POLICE (ADMINISTRATION)
GUWAHATI POLICE COMMISSIONERATE
KHANAPARA
GUWAHATI
DIST. KAMRUP (M

For the Petitioner(s) : Mr. S. Borthakur, Advocate

For the Respondent(s) : Mr. K. Gogoi, Addl. Sr. Govt. Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 14.10.2026

Heard Mr. S. Borthakur, the learned counsel appearing on behalf of the Petitioner and Mr. K. Gogoi, the learned Additional Senior Government Advocate appearing on behalf of the Respondents.

2. The instant writ petition has been filed by the Petitioner being aggrieved by the inaction on the part of the Respondent Authorities in not making payment of the bills of the Petitioner.

3. The petitioner herein is a registered contractor of the Assam Police, specializing in the procurement of stores required for official use and construction works.

4. It is the case of the Petitioner that the Petitioner participated in a tender process issued by the Respondent No. 3 for the supply of stationary articles, computer accessories and items relating to computers, air conditioners and Xerox machines etc. Being the successful bidder, work orders were issued to the Petitioner from time to time for the supply of A4- size paper, file

covers, file boards, staplers, pins, whiteners, registers, pendrives, UPS systems, monitors etc. After supplying the materials, the Petitioner submitted bills amounting to Rs. 45,74,068/- for the period from March, 2020 to March, 2023. However, the said amount has not been paid to the Petitioner.

5. It is the further case of the Petitioner that several representations were made before the Respondent authorities, however, no action has been taken. Being aggrieved, the Petitioner has approached this Court.

6. Today, Mr. K. Gogoi, the learned Additional Senior Government Advocate appearing on behalf of the Respondents during the course of the hearing submitted that an affidavit-in-opposition has been filed by the Respondent No. 3 wherein at paragraph No. 3, it has been categorically mentioned that the Petitioner is entitled to an amount of Rs. 42,44,580/-. Considering its relevance, this Court reproduces paragraph No. 3 hereinbelow:

> "*3. That the answering Respondent begs to state that the claim made by the petitioner was verified with the records available and found that the amount payable to the petitioner is Rs. 42,44,580/- (Rupees forty two lakh forty four thousand five hundred and eighty) only.*"

7. Upon perusal of the materials on record and more particularly, the paragraph quoted hereinabove, it would be seen that the

Respondent No. 3 admit that the Petitioner is entitled to the amount of Rs.42,44,580/-.

8. Accordingly, the instant writ petition stands disposed of with the following observations and directions:-

(i) This Court directs the Respondent No. 2 to take immediate steps for releasing the amount of Rs.42,44,580/- to the Petitioner after making such statutory deductions, if so required, within a period of 6 (six) months from the date, a certified copy of the instant order is served upon the Respondent No.2.

(ii) Any amount paid during the pendency of the present proceedings would be set off at the time of disbursal of the amounts to the Petitioner.

(iii) The instant order shall not preclude the Petitioner to claim the amount of Rs. 3,29,488/-, which claim was rejected, before a competent Court of civil jurisdiction, if so permissible under law.

JUDGE

Comparing Assistant