
(2022) 12 TP CK 0020
In the Tripura High Court
Case No : Writ Petition (C) No. 1107 O 2022

M/s Maa Harsiddhi Infra Developers Pvt. Ltd.

APPELLANT

Vs

State Of Tripura And Ors

RESPONDENT

Date of Decision : 22-12-2022

Acts Referred:

Citation : (2022) 12 TP CK 0020

Hon'ble Judges : Arindam Lodh, J

Bench : Single Bench

Advocate : B.N. Majumder, B. Paul, S.C. Sen, D. Bhattacharjee, B. Majumder, S. Saha

Final Decision : Disposed Of

Judgement

Arindam Lodh, J

It is the case of the petitioner-Company herein that it has been assigned various works under the respondents and the petitioner-Company has completed the works allotted to him. Petitioner-Company has also submitted the closure reports before the respondents and time and again he has raised his bills and requested for making the necessary payment. Since the same is not paid, the petitioner-Company is before this Court praying for the following reliefs:-

"A. Issue Rule NISI

B. Issue Rule upon the respondents to show cause as why a writ in the form of Mandamus or in the nature thereof, shall not be issued, directing, mandating, commanding, the respondents to pay the amount of Rs.54,02,55,296(Rupees Forty Four Crore Two Lacs Fifty Thousand Two Hundred Ninety Six only) in accordance with the invoice and closure report admitted by the respondent No.2.

C. Issue rule upon the Respondent to show cause as why a writ in the form of Mandamus or in the nature thereof, shall not be issued, directing, mandating, commanding the respondents to pay interest at the rate of 24% on the principal

amount of Rs.54,02,55,296(Rupees Forty Four Crore Two Lacs Fifty Thousand Two Hundred Ninety Six only), admittedly payable by the respondent authorities.

D. In case the respondents show causes or not, this Hon'ble High Court be pleased to pass necessary orders in terms of the above."

Heard Mr. B.N. Majumder, learned Sr. counsel assisted by Mr. B. Paul, learned counsel appearing for the petitioner-Company as well as Mr. D. Bhattacharjee, learned G.A. assisted by Mr. S. Saha, learned counsel appearing for the State-respondent and Mr. B. Majumder, learned DSGI appearing for the respondents-Union of India.

A perusal of the record in this present petition shows that recommendations have been made by the concerned authorities in favour of the petitioner for making the necessary payment. The petitioner-Company has also raised his demand before respondent No.2 by issuing letters dated 31.08.2022 and 02.09.2022. However the same has not been considered.

In view of the above, without expressing any opinion on the merits of the case, this present writ petition is disposed of giving liberty to the petitioner-Company to file a fresh statement/representation of its claim before the respondents along with the copy of this order. On receipt of the same, the respondents shall consider the claim made by the petitioner-

Company in accordance with law within a period of 2(two) months from the date of receipt of the copy of this order.

With the above observation and direction, this instant writ petition stands disposed of.