## HIGH COURT OF TRIPURA AGARTALA

WP(C)No.1308 of 2017

M/s Nexgen Dream Home Concept

----Petitioner(s)

Versus

National Institute of Technology, Agartala

----Respondent(s)

For Petitioner(s) : Mr. C.S. Sinha, Adv.

For Respondent(s) : Mr. H. Deb, Asst. S.G.

Ms. M. Chakraborty, Adv.

## HON'BLE MR. JUSTICE S. TALAPATRA

## **Order**

## 13/12/2018

Mr. H. Deb, learned Asst. S.G. appearing for the NIT-respondents has submitted that they had paid the due amount to the petitioner, M/s Nexgen Dream Home Concept and as such, this writ petition has become infructuous.

But Mr. C.S. Sinha, learned counsel appearing for the petitioner, even though, has admitted the receipt of payment, as claimed by the petitioner by means of this writ petition but he has asserted that no interest for the belated payment has been made.

Ms. M. Chakraborty, learned counsel appearing for the NIT-respondents has pointed out that the time has been taken for verification of the bills and comparing with the work-records. In the work-contract, there is no provision that for some delay in payment which might be required for the comparison and verification, the contractor will be entitled to interest.

In view of that, this court is of the view that this writ petition has become infructuous and accordingly, the same is dismissed.

If any claim arisen from the contract besides what has been the subject matter of this writ petition, the petitioner shall remain at liberty to approach for realisation, if permitted by law.

**JUDGE** 

