

GAHC010002392026



2026:GAU-AS:2915

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

Case No. : WP(C)/701/2026

MD. SEHNOWAZ AMIN
S/O- IMDAD ALI, VILLAGE- CHAMATA, PO- PASCHIM CHAMATA, DIST-
NALBARI, ASSAM- 781306

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE SPECIAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, WATER RESOURCES DEPARTMENT, DISPUR,
GUWAHATI-06

2:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
BASISTHA
GUWAHATI
ASSAM- 781029

3:THE EXECUTIVE ENGINEER
NALBARI WATER RESOURCE DIVISION
NALBARI
ASSAM- 78133

Advocate for the Petitioner : MD S HOQUE, MR J HUSSAIN

Advocate for the Respondent : SC, WATER RESOURCE,

Linked Case : **WP(C)/726/2026**

MD. SEHNOWAZ AMIN
S/O IMDAD ALI
VILL- CHAMATA
P.O.- PASCHIM CHAMATA
DIST- NALBARI
ASSAM-781306

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE SPECIAL CHIEF SECRETARY TO THE GOVERNMENT
OF ASSAM
WATER RESOURCES DEPARTMENT
DISPUR
GUWAHATI-06

2:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
BASISTHA
GUWAHATI
ASSAM- 781029

3:THE EXECUTIVE ENGINEER
NALBARI WATER RESOURCE DIVISION
NALBARI
ASSAM-781335

Advocate for : MD S HOQUE
Advocate for : SC WATER RESOURCE appearing for THE STATE OF ASSAM AND
2 ORS.

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 25.02.2026

Heard Mr. S. Hoque, learned counsel for the petitioner; Ms. P. Seyie, learned counsel representing Mr. R.M. Das, learned Standing Counsel, Water Resources Department for all the respondents.

2. The petitioner has stated that he is a Class-I category contractor and has been executing contract-works under the Water Resources Department for many years.

3. By a Notice Inviting Tender [NIT] dated 26.08.2025, the respondent no. 5 invited bids for 35 nos. of contract-works.

4. The petitioner had submitted his bids for the two contract-works : [i] 'Construction of embankment on R/B of river Buradia from Krishnaguru Sewa Ashram to Purni & Purni to Tribeni Ghat including 2-Shutter Sluice at Purni'; [the Contract-Work no. 1', for short] and [ii] 'Construction of embankment on R/B of river Mora-Pagladia from Makrapara to Barpit' [the Contract-Work', for short] on or before the last date of bid submission.

5. These two writ petitions have been preferred by the petitioner canvassing that the respondent authorities have already opened and finalized the bidding processes for the other Contract-Works advertised in the NIT dated 26.08.2025, except the two Contract-Works, referred hereinabove, wherein the petitioner has already submitted his bid.

6. It is the case of the petitioner that the petitioner has submitted his bids in compliance of all the necessary formalities. The petitioner has preferred the writ petitions with the contention that there is no reason for the respondent authorities for not opening the bids in respect of the afore-stated two Contract-Works.

7. When the writ petitions were moved, the learned Standing Counsel, Water Resources Department sought time to obtain necessary instructions as regards the reason for non-opening of the bids in respect of the two Contract-Works under reference.

8. Today, Ms. Seyie, learned counsel appearing for the respondent Water Resources Department, Government of Assam, has placed an Office Letter along with enclosures vide Letter no. CE/CC/WR/TECHNICAL MINUTES/2025-26/409/19 dated 23.02.2026 from the Office of the Director Design, Water Resources Department, Assam Water Centre, Guwahati. Based on such instruction, Ms. Seyie submitted that the technical bids and the financial bids in respect of both the Contract-Works have already been opened and the petitioner has emerged as L-1 in respect of both the Contract-Works. Therefore, there is no cause of action surviving in the two writ petitions for the petitioner to agitate.

9. In the Letter dated 23.02.2026, the Executive Engineer, Construction Cell, Water Resources Department, O/o the Director of Design, Assam Water Centre, Guwahati has stated

as under :-

Both the afore-mentioned schemes were duly evaluated by the Bid Evaluation Committee, and the findings are summarized as follows :

Total 3 [Three] nos. of bidders have participated against the scheme with Tender ID-2025_DoWR_47555_1 [under SL. No. 01] and all the bidders were found successful after evaluation of technical bid. The technical minutes were prepared accordingly on 02/02/2026 [Copy Enclosed]. The financial bid for the scheme was opened on 23/02/2026. In Financial evaluation, out of all the 3 [three] nos. of admitted bidders, the bidder Sehnwaz Amin stands as L-1 and the bidder Jiten Kalita and bidder Bhaba Kanta Nath stands L-2 & L-3 respectively [Copy of CS enclosed].

Total 3 [Three] nos. of bidders have participated against the scheme Tender ID-2025_DoWR_47526_1 under Sl. No. 2, out of which only 2 [two] nos. of bidders were found successful after evaluation of technical bid. The technical minutes were prepared accordingly on 02.02.2026 [Copy Enclosed]. The financial bid for the scheme was opened on 23.02.2026. In Financial evaluation, out of the 2 [two] nos. of admitted bidders, the bidder Sehnwaz Amin stands as L-1 and the bidder Dilip Kumar Barman stands 1.2 respectively [Copy of CS enclosed].

10. From the above, it is evident that in respect of both the Contract-Works, the technical bids of all the bidders were opened at first. After ascertaining responsiveness and non-responsiveness of the technical bids, the financial bids were opened on 23.02.2026. Upon financial evaluation, the petitioner has been adjudged as L-1 in respect of both the Contract-Works.

11. In view of the above submissions made by Ms. Seyie, Mr. Hoque, learned counsel for the petitioner has submitted that there is no further cause of action to keep the writ petitions pending.

12. The writ petitions are accordingly closed with an expectation that the respondent authorities in the Water Resources Department would bring the bidding processes for the two Contract-Works to its logical conclusion within a reasonable period of time.

13. The instructions placed by Ms. Seyie vide Letter no. CE/CC/WR/TECHNICAL MINUTES/2025-26/409/19 dated 23.02.2026 is kept with the case record by marking it as Document 'X'.

JUDGE

Comparing Assistant