

GAHC010006582026



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

**Case No. : WP(C)/693/2026**

DHRUBAJIT BAISHYA  
S/O BABUL CH. BAISHYA, R/O HOUSE NO 20, KRISHNA NAGAR, BYE LANE  
NO 5, BASISTHA, PIN 781029, DIST- KAMRUP (M), ASSAM, PHONE NO  
9706419567

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, DEPARTMENT OF HOUSING AND URBAN AFFAIRS, JANATA  
BHAWAN, DISPUR, GUWAHATI 781006

2:THE COMMISSIONER AND SECRETARY  
DEPARTMENT OF FINANCE  
GOVT OF ASSAM  
DISPUR  
GUWAHATI 781006

3:THE DISTRICT COMMISSIONER  
JORHAT  
DIST JORHAT  
ASSAM  
PIN 785001

4:THE MANAGING DIRECTOR  
ASSAM  
URBAN WATER SUPPLY AND SEWAGE BOARD  
AMRITPUR PATH  
GANESHGURI  
GUWAHATI  
KAMRUP (M)  
ASSAM

PIN 781005

5:THE EXECUTIVE ENGINEER  
ASSAM  
URBAN WATER SUPPLY AND SEWERAGE BOARD  
JORHAT  
NEHRU PARK  
BARUA CHARIALI  
DIST JORHAT  
ASSAM  
PIN 78500

**Advocate for the Petitioner** : MR. B K SARMA, MRS. T BARMAN,S DIHINGIA

**Advocate for the Respondent** : GA, ASSAM, MR. S P CHOUDHURY(R4,5),SC, FINANCE,SC,  
URBAN WATER SUPPLY AND SEWERAGE

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**11.02.2026**

Heard Mr. B.K. Sarma, learned counsel for the petitioner; Mr. S.R. Baruah, learned Junior Government Advocate, Assam for the respondent nos. 1 & 3; and Mr. S.P. Choudhury, learned Standing Counsel, Assam Urban Water Supply & Sewerage for the respondent nos. 4 & 5.

The petitioner has stated that he was issued two supply orders for a nos. of chemicals [Annexure-1 & Annexure-2] by the respondent no. 5 and the petitioner had accordingly supplied the materials as ordered. After completing the supply orders, the petitioner submitted bills for an amount of Rs. 14,61,516/- before the respondent Assam Urban Water Supply & Sewerage authorities. As despite approaches and representations, the said bill amount has not been released till date, the petitioner is before this Court.

Mr. Baruah, learned Junior Government Advocate and Mr. Choudhury, Choudhury, learned Standing Counsel, Assam Urban Water Supply & Sewerage have submitted that the petitioner has not annexed any document regarding admissibility of the claim by the head of the department and as such, the writ petition is not maintainable.

Issue notice, returnable on 20.03.2026.

As Mr. Baruah has appeared and accepted notices on behalf of the respondent nos. 1 & 3 and Mr. Choudhury has appeared and accepted notices on behalf of the respondent nos. 4 & 5, issuance of formal notice to the said respondents is dispensed with. The learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with the annexures to Mr. Baruah and Mr. Choudhury within 3 [three] working days from today.

In view of non-annexation of any document regarding admissibility of the claim in terms of the Full Bench decision in **Tamsher Ali and others vs. State of Assam and others, 2008 [4] GTL 1**, the issue of maintainability of the writ petition is kept open for consideration on the next date of listing.

List the case on 20.03.2026.

**JUDGE**

**Comparing Assistant**