

GAHC010011272022



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

**Case No. : WP(C)/1111/2022**

BHAGABAN KALITA

S/O. LT. SARBESWAR KALITA, A PERMANENT R/O. LATAKATA, P.O./P.S. BASISTHA, GUWAHATI-781029, DIST. KAMRUP (M), ASSAM, REP. FOR AND ON BEHALF OF THE 15 (FIFTEEN) ORS. OF (DEVCROP EMPLOYEES ASSOCIATION), A REGD. ASSOCIATION VIDE NO.1774 OF 1998 WITH ITS OFFICE AT SAWKUCHI, NH-37, OPP. SARUSAJAI NATIONAL STADIUM COMPLEX, GUWAHATI-34, AFFILIATED TO CENTRE OF INDIAN TRADE UNION (CITU).

VERSUS

THE STATE OF ASSAM AND 6 ORS.

REP. BY THE COMM. AND PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, SOIL CONSERVATION DEPTT., C-BLOCK, 3RD FLOOR, ASSAM SECRETARIAT, DISPUR, GUWAHATI-781006, DIST. KAMRUP (M), ASSAM.

2:THE STATE OF ASSAM

REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM  
PUBLIC ENTERPRISE DEPTT.

C BLOCK  
3RD FLOOR  
ASSAM SECRETARIAT  
DISPUR  
GUWAHATI-781006  
KAMRUP (M)  
ASSAM.

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5:THE STATE OF ASSAM

REP. BY THE SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPTT.  
ASSAM SECRETARIAT  
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GUWAHATI-781006  
KAMRUP (M)  
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6:THE STATE OF ASSAM

REP. BY THE DIRECTOR OF SOIL CONSERVATION DEPTT. OF ASSAM  
BHUMI SANGRAKSHAN BHABAN  
R.G. BORUAH ROAD  
GUWAHATI-781006  
DIST. KAMRUP (M)  
ASSAM.

7:THE MANAGING DIRECTOR

ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD.  
OPPOSITE SARUSAJAI NATIONAL STADIUM COMPLEX  
P.O. SAWKUCHI  
P.S. BASISTHA  
NH-37  
LAKHARA  
GUWAHATI-781040  
DIST. KAMRUP (M)

ASSAM

**Advocate for the Petitioner** : MR I C GOGOI, MR I HASSAN,MR. A BHATTACHARYYA,MR A B DUTTA,MR K BARMAN,MR A SHARMA,MR. P KALITA

**Advocate for the Respondent** : GA, ASSAM, MR. S R RABHA, SC, SOIL CONSERVATION DEPTT, ASSAM,MR B GOGOI, SC, SOIL CONSERVATION DEPARTMENT.,SC, FINANCE

Linked Case : I.A.(Civil)/1487/2022

BHAGABAN KALITA  
S/O. LT. SARBESWAR KALITA  
A PERMANENT R/O. LATAKATA  
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ASSAM.

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Advocate for : MR I C GOGOI  
Advocate for : MR. R S DEURI appearing for THE STATE OF ASSAM AND 6 ORS

**BEFORE  
HONOURABLE MR. JUSTICE KARDAK ETE**

**ORDER**

**Date : 01.12.2025**

Heard Mr. I. Hassan, learned counsel for the petitioner.

On 12.11.2025, learned Standing Counsel, Soil Conservation Department, had submitted that FOC proposal is under process and would be submitted to the Finance Department within a period of 15 (fifteen) days.

However, today, Mr. P. Hazarika, learned Standing Counsel, Soil Conservation Department, by placing the communication dated 29.11.2025 from the Secretary to the Government of Assam, Soil Conservation Department, submits that due to shortfall of budget, Department has to submit a supplementary demand to the Finance Department for payment of dues to the

petitioner and accordingly part of demand has been approved and therefore, the Department will be submitting FOC proposal of the approved amount to the Finance Department, which may take some time. Therefore, he submits that another 15 (fifteen) days time may be granted to complete the process.

Mr. R. Borpujari, learned Standing Counsel, Finance Department, submits that the Finance Department has not received any FOC proposal as on today and as and when it is received, same would be considered with a caution that if it is delayed, proposal may get lapsed.

Considering above, the Soil Conservation Department is granted another 15 (fifteen) days time, as prayed for.

List the matters after 3 (three) weeks.

The copy of the communications dated 29.11.2025 from the Secretary to the Government of Assam, Soil Conservation Department, and the Deputy Secretary to the Government of Assam, Finance(Budget) Department, are kept on record and marked as documents "A" and "B", respectively.

**JUDGE**

**Comparing Assistant**