

GAHC010012442026



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

**Case No. : WP(C)/573/2026**

ISMAIL HUSSEN MONDAL  
SON OF- ABDUL RASHID MONDAL,  
RESIDENT OF - VILLAGE- DEWANERALGA, P.O.- SUKCHAR, DIST.- SOUTH  
SALMARA MANKACHAR, ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS  
REPRESENTED BY THE PRINCIPAL SECRETARY, GOVERNMENT OF ASSAM,  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,  
GUWAHATI-06.

2: THE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT  
PANJABARI  
JURIPAR  
GUWAHATI-37.

3: THE DISTRICT COMMISSIONER  
SOUTH SALMARA MANKACHAR AT HATSINGIMARI  
P.O. AND DIST.- SOUTH SALMARA MANKACHAR  
PIN - 783135.

4: THE CHIEF EXECUTIVE OFFICER  
ZILA PARISHAD  
SOUTH SALMARA MANKACHAR AT HATSINGIMARI  
P.O.- HATSINGIMARI  
DIST.- SOUTH SALMARA MANKACHAR  
ASSAM  
PIN- 783135

5: THE STANDING COMMITTEE OF BORAIRALGA GAON PANCHAYAT  
REPRESENTED BY ITS PRESIDENT  
MUNJELA KHATUN.

C/O- SECRETARY  
BORAIRALGA GAON PANCHAYAT  
P.O.- SUKCHAR  
DIST.- SOUTH SALMARA MANKACHAR  
ASSAM  
PIN- 783128

6:THE EXECUTIVE OFFICER CUM BLOCK DEVELOPMENT OFFICER  
FEKAMARI ANCHALIK PANCHAYAT  
P.O.- FEKAMARI  
DIST.- SOUTH SALMARA MANKACHAR  
ASSAM  
PIN- 783135.

7:THE SECRETARY OF BORAIR ALGA GAON PANCHAYAT  
P.O.- SUKCHAR  
DIST.- SOUTH SALMARA MANKACHAR  
ASSAM  
PIN- 783128

8:MD. IMRAN ALI  
S/O- BAHAR UDDIN MIAH.  
VILL.- DEWANERALGA  
P.O.- SUKCHAR  
DIST.- SOUTH SALMARA MANKACHAR  
ASSAM  
PIN- 783128

**Advocate for the Petitioner** : MR. M KHAN, MS J AKTAR,MR. RASHIDUL ISLAM

**Advocate for the Respondent** : GA, ASSAM, SC, P AND R.D.

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

**ORDER**

**Date : 06.02.2026**

Heard Mr. M. Khan, learned counsel for the petitioner; Mr. S. Dutta, learned Standing Counsel, Panchayat and Rural Development [P&RD] Department for the respondent nos. 1, 2, 4, 6 & 7; and Mr. M. Chetia, learned Junior Government Advocate, Assam for the respondent no. 3.

2. The petitioner has assailed an Order of Settlement dated 01.09.2025 whereby a Ghat, Dewaneralga to Beparipara Shallow Ghat via Sukhchar has been settled in favour of the respondent no. 8 for the period from 01.09.2025 to 30.06.2026 at a settlement amount of Rs. 8,690/-. It is the case of the petitioner that as per Clause 13[a], when two bidders offer the same bid value then the successful bidder is to be chosen by toss of coin. The said procedure was not adopted in selecting the respondent no. 8 whereas the petitioner had also offered a bid value of Rs. 8,690/-.

3. Issue notice, returnable on 11.03.2026.

4. As Mr. Dutta has appeared and accepted notices on behalf of the respondent nos. 1, 2, 4, 6 & 7; and Mr. Chetia has appeared and accepted notice on behalf of the respondent no. 3, issuance of formal notice in respect of the said respondents stand dispensed with. The learned counsel for the petitioner shall serve requisite nos. of extra copies of the writ petition along with annexures, to Mr. Dutta and Mr. Chetia within 3 [three] working days from today.

5. The petitioner shall take steps for service of notice upon the respondent nos. 5 and 8 by speed post within 3 [three] working days from today.

6. Mr. Dutta shall make endeavour to obtain the relevant records and to place it before the Court for perusal.

**JUDGE**

**Comparing Assistant**