

GAHC010024532026



undefined

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

Case No. : WP(C)/684/2026

BODO ALI
S/O LATE JOYNAL ALI
VILLAGE BHELLA, P.S. BARPETA, P.O. BHELLA
DISTRICT BARPETA, ASSAM
PIN 781309

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE GOVT. OF
ASSAMPWR DEPARTMENTGUWAHATI 6

2:THE PRINCIPAL SECRETARY TO THE GOVT OF ASSAM

REVENUE AND DM GEN DEPARTMENT
DISPUR
GUWAHATI 6

3:THE DISTRICT COMMISSIONER

BARPETA
DISTRICT BARPETA
ASSAM
PIN- 781301

4:THE CHIEF ENGINEER
PWRD
CHANDMARI
GUWAHATI 3

5:THE EXECUTIVE ENGINEER
PWRD

BARPETA MANDIA CHENGA TERRITORIAL ROAD DIVISION BARPETA
ASSAM
PIN- 78130

Advocate for the Petitioner : MR. J AHMED, S AHMED,MS A HUSSAIN,J N KHANDAKAR,R
BEGUM,H G DAISY

Advocate for the Respondent : SC, PWD, GA, ASSAM,SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

18.02.2026

Heard Mr. J. Ahmed, learned counsel for the petitioner; Mr. B. Gogoi, learned Additional Advocate General, Assam for the respondent nos. 1, 3, 4 & 5; and Mr. S. Dutta, learned Standing Counsel, Revenue & Disaster Management Department for the respondent no. 2.

The petitioner has averred that on the verbal instruction of the local Member of the Legislative Assembly Constituency, Baghbor LAC and the Executive Engineer, WR Division, Barpeta, the petitioner repaired four nos. of works making an expenditure of Rs. 9,00,000/- and thereafter, submitted bills. But, the same four works have again been put to tender by a Notice Inviting Tender [NIT] dated 13.01.2026. The petitioner's contention is that at the time the petitioner was instructed to complete the works, there was no administrative approval.

Mr. Gogoi has seriously contended that the writ petition is not maintainable as there is no work order issued in favour of the petitioner and there is no admission of liability as regards the contract-works, claimed to have been executed by the petitioner.

Issue notice, returnable on 23.03.2026.

As Mr. Gogoi, learned Additional Advocate General, Assam has appeared and accepted notices on behalf of the respondent nos. 1, 3, 4 & 5; and Mr. Dutta, learned Standing Counsel, Revenue & Disaster Management Department has appeared and accepted notice on behalf of the respondent no. 2, issuance of formal notice to the 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. Gogoi and Mr. Dutta within 3 [three] working

days from today.

List the case on 23.03.2026.

The issue of maintainability of the writ petition is kept open for consideration at an appropriate stage.

JUDGE

Comparing Assistant