

GAHC010034822023



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

**Case No. : WP(C)/994/2023**

M/S DIVINE ASSOCIATES  
REPRESENTED BY ASHIM AGARWALLA, S/O RAM CHANDRA  
AGARWALLA, R/O LILA BARUAH LANE GNB ROAD, AMBARI, GUWAHATI-  
1, DIST-KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
DISPUR, GUWAHATI-6

2:SECRETARY TO THE GOVT. OF ASSAM  
WATER RESOURCES DEPARTMENT  
CHANDMARI  
GUWAHATI-3

3:THE CHIEF ENGINEER  
WATER RESOURCES DEPARTMENT  
(PREVIOUSLY DEPARTMENT OF FLOOD CONTROL  
GUWAHATI 3 GOVT. OF ASSAM CHANDMARI  
GUWAHATI-3

4:THE SUPERINTENDING ENGINEER WATER RESOURCES DEPARTMENT  
CHANDMARI  
GUWAHATI-3

5:EXECUTIVE ENGINEER WATER RESOURCES DEPARTMENT  
GUWAHATI EAST W.R. DIVISION  
GUWAHATI-

**Advocate for the Petitioner** : MR. D K JAIN,

**Advocate for the Respondent : GA, ASSAM, SC, WATER RESOURCE**

**BEFORE  
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**Date : 09.02.2026**

Heard Mr. D.K. Jain, learned counsel for the petitioner; Ms. U. Das, learned Additional Senior Government Advocate, Assam for the respondent no. 1; and Ms. P. Seyie, learned counsel appearing on behalf of Mr. R.M. Das, learned Standing Counsel, Water Resources Department for the respondent nos. 2 & 3

The petitioner has only annexed a liability statement with the writ petition as Annexure-1 and the said statement is not from the Head of the Department as per the terms of the full bench decision of this Court in Tamsher Ali & Ors. vs. State of Assam & Ors., reported in 2008 [4] GLT 1 [FB].

Mr. Jain, learned counsel for the petitioner has prayed for further 2 [two] weeks' time to file additional affidavit to bring on record a statement as per the decision in Tamsher Ali [supra].

List the case on 02.03.2026.

**JUDGE**

**Comparing Assistant**