

GAHC010040642026



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

Case No. : PIL/24/2026

KAMRUL HUSSAIN MAZARBHUIYA
S/O MANIR UDDIN MAZARBHUIYA, R/O CHANDRAPUR, P.O.- KUCHILA
GRANT, P.O.- HAILAKANDI, DIST- HAILAKANDI, ASSAM- 788155

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, PANCHAYAT
AND RURAL DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
ASSAM
DISPUR
GUWAHATI-781006

3:THE DISTRICT COMMISSIONER
HAILAKANDI DISTRICT
ASSAM
PIN-788151

4:THE CHIEF EXECUTIVE OFFICER
ZILLA PARISHAD
HAILAKANDI
ASSAM

5:THE BLOCK DEVELOPMENT OFFICER
LALA DEVELOPMENT BLOCK
DIST- HAILAKANDI
ASSAM

6:M/S M.G. ASSOCIATES

(GOVT REGISTERED CONTRACTOR)
COLLEGE ROAD
WARD NO. 13
P.O. AND DIST- HAILAKNADI (ASSAM)-788151

7:MONOJIT DEBNATH
C/O M/S M.G. ASSOCIATES
COLLEGE ROAD
WARD NO. 13
P.O. AND DIST- HAILAKANDI
ASSAM- 78815

For the petitioner : Mr. T.A. Choudhury, Advocate

For the respondents : Mr. S. Dutta, S.C., P&RD
For respondent Nos.1, 2, 4, 5
Ms. S. Sarma,
Govt. Advocate, Assam for
Respondent No.3

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

18-03-2026

(Ashutosh Kumar, C.J.)

We have heard Mr. T.A. Choudhury, learned counsel for the petitioner; Mr. S. Dutta, learned Standing Counsel, P&RD; and Ms. S. Sarma, learned Government Advocate, Assam for the State respondents.

The petitioner is a local resident of Lala Development Block in the district of Hailakandi. By this petition, he urges this Court to ensure that the

15th Finance Commission funds, meant for village roads, schools, toilets, community halls are spent in a transparent manner.

The contention of the petitioner is that in the financial years 2020 to 2023, there were 15 specific development works which were carried out in different Gram Panchayats under the Lala Development Block. These works included repair of Anganwadi Centres, school buildings, construction of community halls, cremation ground, public toilets and other small infrastructure projects.

The grievance of the petitioner is that all these 15 works were officially allotted to two favourite contractors, namely, M/s M.G. Associates and Sri Monojit Debnath, who have been impleaded as respondent Nos.6 and 7 in this petition. This, petitioner realises, would not have been enough for urging the Court to take notice of the matter in this PIL. It has been submitted that collusively the afore-noted two contractors were paid full amount against the bills without even verifying that they had completed the works allotted to them. There was no certification by any accredited Engineer and most of the works remained incomplete.

The petitioner has based these allegations on his personal information as he had himself worked in one of the projects but was not paid his wages. It was only in the context of his enquiry as to why despite the contractor having been paid against his bills, the workers were not paid that he came to learn about these anomalies in the public fund spending.

Hence, this petition.

We were tentatively of the view that there were no specifics in this petition requiring us to interfere in the matter but considering that huge amount has been paid without ensuring that works had been completed, we consider it necessary to ask the respondents to explain.

The notices to the State respondents are accepted by Mr. S. Dutta, learned Standing Counsel, P&RD and Ms. S. Sarma, learned Government Advocate, Assam, who shall respond to this petition by the next date.

Re-notify on **12.06.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant