

GAHC010042252017



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

Case No. : WP(C)/6026/2017

MOLOY PAUL
S/O LT. MADAN MOHAN PAUL R/O P.O. and VILL- KATIGORAH PART- III,
DIST. CACHAR, ASSAM, PIN - 788805

VERSUS

THE STATE OF ASSAM and 4 ORS.
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM, PUBLIC HEALTH
ENGINEERING DEPARTMENT, ASSAM SECRETARIAT, DISPUR,
GUWAHATI6, ASSAM

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI-6
ASSAM.

3:THE CHIEF ENGINEER

PUBLIC HEALTH ENGINEERING DEPARTMENTWATER HENGRABARI
GUWAHATI - 781036
ASSAM

4:THE SUPERINTENDING ENGINEER

PUBLIC HEALTH ENGINEERING DEPARTMENT
CACHAR CIRCLE
SILCHAR
SILCHAR- 788001
DIST. CACHAR

ASSAM

5:THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT SILCHAR DIVISION
NO. 1
SILCAHR- 788001
DIST. CACHAR
ASSAM

Advocate for the Petitioner : MS.P MAZUMDAR, MR.C S HAZARIKA,MR.M K MAJUMDAR,MS.R MAZUMDAR

Advocate for the Respondent : SC, P H E, MR.P N GOSWAMI,SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 23.02.2026

Heard Mr. H. Chakraborty, learned counsel appearing on behalf of Mr. M.K. Mazumdar, learned counsel for the petitioner; Mr. D. Gogoi, learned Standing Counsel, Public Health Engineering Department for the respondent nos. 1, 3, 4 & 5; and Mr. A. Chaliha, learned Standing Counsel, Finance Department for the respondent no. 2.

The respondents were put to notice as far back as on 29.01.2017 to respond to the claim of the petitioner that there was non-disbursement of an amount of Rs. 98,895/- against the contract-works the petitioner had executed for the Public Health Engineering Department. Till date, no response has been filed on behalf of the respondent authorities. The learned counsel for the petitioner has also not been able to place anything concrete as regards receipt or non-receipt of the said amount.

As prayed for by the learned counsel for the parties, list the case on

23.03.2026.

As the writ petition is kept pending since 2017, this Court observes that in the event no counter affidavit is filed by the respondents by the next date of listing, the writ petition will be considered of on the basis of the materials available on record.

JUDGE

Comparing Assistant