

GAHC010067632025



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

Case No. : WA/57/2026

1.THE STATE OF ASSAM AND ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT OF ASSAM,
IRRIGATION DEPARTMENT, ASSAM SECRETARIAT, DISPUR, GUWAHATI-6

2: SECRETARY OF GOVT. OF ASSAM
IRRIGATION DEPTT. ASSAM SECRETARIAT DISPUR GUWAHATI 781006

3: CHIEF ENGINEER
DEPTT. OF IRRIGATION CHANDMARI GUWAHATI 781003 ASSAM

VERSUS

1.SRI SUJIT KUMAR SINGHA AND 6 ORS.
S/O SRI KRISHNA KUMAR SINGHA, R/O VIVEKANANDA ROAD, P.O
TARAPUR, PS SILCHAR-3, DISTRICT CACHAR, ASSAM

2:MD. NIZAM UDDIN LASKAR
S/O LATE BASARAT ALI LASKAR R/O VILL. AND P.O. GANIR GARAM
P.S. KARIGORHA DIST. CACHAR ASSAM.

3:MD. ABUL HUSSAIN LASKAR
S/O LATE M. ALI LASKAR R/O VILL. AND P.O. DHANEHARI
P.S. SONAI DIST. CACHAR ASSAM.

4:MD. ABDUL KHALIQUE MAZUMDER
S/O LATE MAHAMMAD UDDIN MAZUMDER
R/O VILL. AND P.O. BADRIPAR P.S. SILCHAR DIST. CACHAR ASSAM.

5:KANTA PRASAD ROY
R/O VILL. AND P.O. KAJIDAHAR PART-III P.S. SONAL DIST. CACHAR
ASSAM.

6:MD. SAHAJAN MAZUMDER
S/O MD. M ALI MAZUMDER R/O VILL. AND P.O. SONABARIGHAT-I

DIST. CACHAR ASSAM.

7:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT. DISPUR GUWAHATI 0

Linked Case : WA/163/2026

LAKHISWARI BRAHMA
W/O-LATE TARANI BRAHMA A RESIDENT OF VILL. PAVUAJHORA
(SAMOGURI) P.O. - BISMURI P.S. - KOKRAJHAR DIST - KOKRAJHAR
BTR ASSAM PIN -783370

VERSUS

1.THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM
PWD ROADS DISPUR GUWAHATI-06.

2:THE CHIEF ENGINEER
PWD ROADSASSAM CHANDMARI GUWAHATIASSAM -781003.

3:HE EXECUTIVE ENGINEER PWD KOKRAJHAR ROADS DIVISION.

4:THE ASSTT. EXECUTIVE ENGINEER PWD KOKRAJHAR RURAL ROADS
DIVISION.

5:THE TREASURY OFFICER KOKRAJHAR ASSAM 783370.

6:THE ACCOUNTANT GENERAL (A AND E) ASSAM
MAIDAMGAON BELTOLA GUWAHATI-781029.

Linked Case : WA/156/2025

SMTI GEETA BARMAN
WIFE OF LATE SUTKU BARMAN RESIDENT OF VILLAGE- PADMABIL P.O-
GOSSAIGAON P.S-GOSSAIGAON DIST-KOKRAJHAR ASSAM. PIN- 783361.

VERSUS

1.THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM PUBLIC WORKS DEPARTMENT ASSAM
SACHIBALAYA DISPUR GUWAHATI-6.

2:THE SECRETARY TO THE GOVT. OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT

ASSAM SACHIVALAYA DISPUR GUWAHATI-6.

3:THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT ROAD CHANDMARI GUWAHATI-3.

4:THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT KOKRAJHAR RURAL ROADS DIVISION
P.O. KOKRAJHAR PIN - 783361 DIST. KOKRAJHAR ASSAM

5:THE ASSISTANT EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT GOSSAIGAON ROADS SUB-DIVISION
P.O. GOSSAIGAON PIN- 783361 DIST. KOKRAJHAR ASSAM

6:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF FINANCE ASSAM SACHIVALAYA DISPUR GUWAHATI -
781006.

7:THE ACCOUNTANT GENERAL A AND E
MAIDAMGAON BELTOLA GUWAHATI-781029 ASSAM

Linked Case : WA/392/2015

THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT. DISPUR GUWAHATI-6

VERSUS

1.RATAN BASUMATARY and 9 ORS.
S/O BHUSHAN BASUTMOTARY VILL. JYOTISHPUR P.O. KONPATANI
DIST. DHEMAJI ASSAM.

2:BHUPEN DAS
S/O MAYA RAN DAS VILL. CHOUDHURYKHAT P.O. and P.S. CHAYGAON
DIST.KAMRUP ASSAM.

3:DADHIRAM BORO
S/O KULARAM DORO VILL. NO. MULONGSELEK P.O. JONAI DIST. DHEMAJI
ASSAM.

4:PUNIRAM CHANGMAI
S/O PUHRI CHANGMAI VILL.RONGPURIA P.O. SIMEN CHAPORI
DIST. DHEMAJI ASSAM.

5:PUERNANDA DUTTA
S/O DHARMA DUTTA VILL. PANIGAON P.O. GOVINDAPUR DIST. DHEMAJI
ASSAM.

6:DILIP CHANDRA BORDOLOI
S/O LATE NIKON BORDOLOI VILL. GORMARI P.O. SARUBARI
DIST. MORIGAON ASSAM.

7:LARU BORKAKOTI
S/O LATE SHIVARAM BORKAKOTI VILL. UJARAON P.O. UPOR UJARGAON
DIST. NAGAON ASSAM.

8:CHANDRA BORA
S/O LAE KON BORA VILL. POHUCHUA P.O. DERGAON DIST. GOLAGHAT
ASSAM.

9:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECY. TO THE GOT. OF ASSAM
HANDLOOM TEXTILE AND SERICULTURE DEPTT. ASSAM DISPUR
GUWAHATI-6

10:THE DIRECTOR SERICULTURE ASSAM GUWAHATI-22

Linked Case : WA/17/2026

SMT MANDRILA BASUMATARY
WIFE OF LATE BIDANG BASUMATARY RESIDENT OF VILLAGE-
TENGAPARA P.O- KOKRAJHAR MBWARD NO. 5 P.S- KOKRAJHAR
DIST-KOKRAJAR ASSAM. PIN-783361

VERSUS

1.THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM PUBLIC WORKS DEPARTMENT ASSAM
SACHIBALAYA DISPUR GUWAHATI-6.

2:THE SECY. TO THE GOVT. OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPTT. ASSAM SACHIBALAYA
DISPUR GUWAHATI 6

3:THE CHIEF ENGINEER
PUBLIC WORKS DEPTT. (BUILDING) CHANDMARI GUWAHATI 3

4:THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPTT. KOKRAJHAR PIN 783370 DIST. KOKRAJHAR
ASSAM.

5:THE ASSTT. EXECUTIVE ENGINEER
PUBLIC WORKS DEPTT. KOKRAJHAR BUILDING SUB DIVISION

P.O. KOKRAJHAR PIN 783370 DIST. KOKRAJHAR ASSAM.

6:THE SECY. TO THE GOVT. OF ASSAM
DEPTT. OF FINANCE ASSAM SACHIBALAYA DISPUR GUWAHATI 781006

7:THE ACCOUNTANT GENERAL (A AND E)
MAIDAMGAON BELTOLA GUWAHATI 781029 ASSAM.

Linked Case : WA/294/2024

SAMIRAN CH DAS
S/O- LATE SUBDH CH. DAS VILLAGE- LALAPUR PART-I
P.O.- CHANDRAPUR P.S.- LALA DISTRICT- HAILAKANDI ASSAM.

VERSUS

1.THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM P.H.E. DEPARTMENT
DISPUR GUWAHATI- 781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT DISPUR GUWAHATI- 781006.

3:THE CHIEF ENGINEER
P.H.E. DEPARTMENT HENGRABARI ASSAM.

4:THE ACCOUNTANT GENERAL (A AND E) ASSAM
MAIDAMGAON BELTOLA GUWAHATI- 781029.

5:THE EXECUTIVE ENGINEER HAILAKANDI DIVISION ASSAM.

6:TREASURY OFFICER HAILAKANDI ASSAM.

Linked Case : WA/142/2026

SRI BABUL BISWAS
SON OF DINAMONI BISWAS RESIDENT OF KALINAGAR-3
POLICE STATION- KALINAGAR BAKORI HAWAR PT I
DISTRICT -HAILAKANDI ASSAM PIN CODE-788801.

VERSUS

1.THE STATE OF ASSAM AND 9 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM PUBLIC HEALTH ENGINEERING PHE ASSAM DISPUR
GUWAHATI-06.

2:THE UNDER SECRETARY TO THE GOVT OF ASSAM
PUBLIC HEALTH ENGINEERING ASSAM DISPUR GUWAHATI-06.

3:THE CHIEF ENGINEER
PHE WATER ASSAM HENGRABARI GUWAHTI-36.

4:THE DIMA HASAO AUTONOMOUS COUNCIL
REPRESENTED BY THE PRINCIPAL SECRETARY
HAFLONG DISTRICT DIMA HASAO ERSTWHILE N.C HILLS AUTONOMOUS
COUNCIL PIN-788819.

5:THE ADDITIONAL CHIEF ENGINEER (PHE)
N.C. HILLS AUTONOMOUS COUNCIL HAFLONG DISTRICT- DIMA HASAO
PIN788819.

6:THE EXECUTIVE ENGINEER PHE
MAIBANG DIVISION MAIBANG DISTRICT- DIMA HASAO ASSAM
PIN-788819.

7:THE ASSISTANT EXECUTIVE ENGINEER PHE
MAIBANG DIVISION DISTRICT- DIMA HASAO ASSAM PIN-788819.

8:THE ACCOUNTANT GENERAL (A AND E) ASSAM
MAIDAMGAON BELTOLA GUWAHATI-29.

9:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM FINANCE DEPARTMENT ASSAM
DISPUR GUWAHATI-06.

10:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR GUWAHATI-06.

For the Appellant(s)	: Mr. P. Nayak, Additional Advocate General, Assam assisted by Mr. N. Upadhyay, Standing Counsel, Irrigation Department in WA No.57/2026. : Mr. P. Nayak, Additional Advocate General, Assam in WA No.392/2015. : Mr. A.M. Barbhuiya, Advocate in WA No.294/2024. : Mr. S. Das, Advocate in WA No.156/2025. : Mr. K. Das & Ms. P. Kalita, Advocates in WA No.17/2026. : Mr. N. Sarkar, Advocate in WA No.142/2026. : Mr. M.U. Mahmud, Advocate in WA No.163/2026.
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For the Respondent(s) : Mr. M.U. Mahmud, Advocate in WA No.57/2026.
: Ms. P. Borah, Advocate for Private respondent in WA No.392/2015.
: Mr. P. Nayak, Additional Advocate General, Assam.
: Mr. R.K. Talukdar, Standing Counsel, AG.
: Mr. N. Upadhyay, Standing Counsel, Irrigation Department.
: Ms. M. Bhattacharjee, Additional Senior Government Advocate, Assam.
: Ms. P. Chakraborty, Advocate.
: Mr. A. Banerjee, Advocate on behalf of Mr. R. Dhar, Standing Counsel, Handloom & Textile Department.
: Mr. A. Atreya, Standing Counsel, BTC.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

21.07.2026

(Ashutosh Kumar, CJ)

Arguments have been heard.

Judgment is reserved.

JUDGE

CHIEF JUSTICE

Comparing Assistant