

GAHC010086932024



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

Case No. : PIL/22/2024

ABDUL SALAM SHAH
SON OF LATE MONIRUDDIN SHAH, RESIDENT OF VILLAGE- BORO
BAGJHAPA, P.O.- HAZIRHAT, P.S. SUKCHAR, DISTRICT- SOUTH SALMARA
MANKACHAR, ASSAM, PIN-

VERSUS

THE STATE OF ASSAM AND 8 ORS
THROUGH THE COMMISSIONER AND SPECIAL SECRETARY TO THE
GOVERNMENT OF ASSAM, PWRD, DISPUR, GUWAHATI- 781006

2:THE CHIEF ENGINEER
PWD (ROADS)
ASSAM
CHANDMARI
GUWAHATI- 781003

3:THE DISTRICT COMMISSIONER
SOUTH SALMARA MANKACHAR
HATSINGIMARI
DISTRICT- SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783135

4:THE EXECUTIVE ENGINEER
PWRD SOUTH SALMARA DISTRICT TERRITORIAL ROAD DISTRICT
TERRITORIAL ROAD DIVISION
MANKACHAR
DISTRICT- SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783131

5:ASSISTANT EXECUTIVE ENGINEER
PWRD
MANKACHAR TERRITORIAL ROAD SUB-DIVISION-I
MANKACHAR
DISTRICT- SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783131

6:SONOWAR HUSSAIN
ASSISTANT EXECUTIVE ENGINEER
PWRD
MANKACHAR TERRITORIAL ROAD SUB-DIVISION
MANKACHAR
DISTRICT- SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783131

7:AMIR HUSSAIN TALUKDAR
JUNIOR ENGINEER (IN-CHARGE OF THE WORK) OFFICE OF THE
ASSISTANT EXECUTIVE ENGINEER
PWRD
MANKACHAR TERRITORIAL ROAD SUB-DIVISION-I
MANKACHAR
DISTRICT- SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783131

8:M/S SBS SYSTEM
HOUSE NO.8
MULLAH AZIZ NAGAR PATH
HATIGAON
GUWAHATI
ASSAM

9:MUSTAFA AHMED
SON OF MOINAL HOQUE
RESIDENT OF VILLAGE KADOMTOLI
P.O. HAZIRHAT
DISTRICT- SOUTH SALMARA MANKACHAR
ASSAM
PIN- 78312

Advocate for the Petitioner : MR. R MAJUMDAR, MS. J GHOSH,MR. A K PURKAYASTHA

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

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

13.08.2025

(M. Zothankhuma, J)

The matter pertains to non-construction of 3 roads by the respondents.

In terms of the rejoinder-affidavit filed by the respondent nos.1, 2, 4 & 5 on 28.07.2025, out of the 3 roads that are to be constructed, 2 roads have been completed. However, only 90% has been completed in respect of the road from Hazirhat Tinali to Khopati Bazer. However, the affidavit-in-reply filed by the petitioner on 11.08.2025 at paragraph-4 states that the 2 completed roads have not been completed as per specifications. Further, in respect of the 3rd road where the State respondents have taken a stand that 90% of the work has been completed, the petitioner has taken a stand that only earth filling work has been done on the said road.

Mr. D. Nath, learned Senior Government Advocate for the State Government submits that he would like to obtain instructions with regard to the above.

List the matter on 04.09.2025.

JUDGE

JUDGE

Comparing Assistant