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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

1: 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

For the Petitioner(s) : Mr. R. Majumdar, Advocate.

For the Respondent(s) : Mr. D. Nath, Standing Counsel, Public Works Department.

- B E F O R E -

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

04.09.2025

(Ashutosh Kumar, CJ)

Mr. D. Nath, learned Standing Counsel, Public Works Department seeks 2(two) weeks' adjournment to bring on record the report of the enquiry conducted at the instance of the Chief Engineer, PWD with respect to non-completion of the project of construction of three roads, which was scheduled to be completed by 26.03.2024.

The allegation of the petitioner is that the respondent No.8, the Contractor, had sublet the work to respondent No.9 and the claim of the respondents of having completed the two roads and 90% of the third road, is factually incorrect.

It has also been brought to the notice of this Court that the Assistant Executive Engineer, PWRD (respondent No.6) never objected to payment of Rs.1 Crore for the work that has not yet been started.

Apart from the difficulties faced by the pedestrians, there is an allegation of severe misappropriation of public funds as well.

Let the report of the enquiry be placed on record on the next date.

Re-notify on **27.10.2025**.

JUDGE

CHIEF JUSTICE

Comparing Assistant