

GAHC010089452021



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

**Case No. : WA/148/2021**

MADHAB DEKA AND 3 ORS  
S/O LATE KHITISH CHANDRA DEKA, R/O DURGA SAROBAR, GUWAHATI,  
KAMRUP, ASSAM, PIN-781009

2: MD. SALAMUDDIN AHMED  
S/O LATE ALI AKBAR ALI  
R/O HAJO  
MUSLIM PATTY  
P.O. AND P.S.-HAJO  
KAMRUP  
ASSAM  
PIN-781102

3: SMTI. ANJUMONI SARMAH  
W/O SRI PRADIP CHAKRAVORTY  
R/O BASISTHA  
RIVER RESEARCH COLONY  
GUWAHATI  
KAMRUP  
ASSAM  
PIN-781029

4: HITENDRA NATH SHARMA  
S/O LATE BISWANATH SARMA  
R/O PUTHIMARI  
HARIPUR  
KAMRUP  
ASSAM  
PIN-78138

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE

GOVERNMENT OF ASSAM, WATER RESOURCES DEPARTMENT, DISPUR,  
GUWAHATI-781006

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

3:THE CHIEF ENGINEER  
WATER RESOURCES DEPARTMENT  
GOVT. OF ASSAM  
CHANDMARI  
GUWAHATI-781003

4:THE EXECUTIVE ENGINEER  
GUWAHATI WEST WATER RESOURCE DIVISION  
BHARALUMUKH  
GUWAHATI-781009

5:THE COMMITTEE  
CONSTITUTED FOR EARMARKING PERCENTAGE OF VACANCIES IN  
GRADE -III TO BE FILLED UP ON PROMOTION FROM GRADE-IV  
REPRESENTED BY ITS CHAIRMAN  
OFFICE OF THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

6:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF  
ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-781006

7:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM  
PERSONNEL DEPARTMENT  
DISPUR  
GUWAHATI-78100

**Advocate for the Petitioner** : MR. K N CHOUDHURY

**Advocate for the Respondent** : SC, WATER RESOURCE

Linked Case : WA/151/2021

JATISH CHANDRA BORA AND 2 ORS.  
S/O LATE BHUGDHAN BORA  
R/O HATIPARA  
DIST. NAGAON  
PIN-782003

2: AFTABUL HAQUE  
S/O LATE ABU KAYES  
R/O PURANIGUDAM  
DIST. NAGAON  
PIN-782141

3: ATATUR RAHMAN  
S/O JIYAUL HAQUE  
R/O FAUZDARI PATTY  
DIST. NAGAON  
PIN-782003  
VERSUS

THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

2: THE SECRETARY TO THE GOVT. OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

3: THE CHIEF ENGINEER  
WATER RESOURCES DEPARTMENT  
GOVT. OF ASSAM  
CHANDMARI GUWAHATI-781003

4: THE EXECUTIVE ENGINEER  
GUWAHATI WEST WATER RESOURCE DIVISION  
BHARALUMUKH  
GUWAHATI-781009

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Advocate for : MR. K N CHOUDHURY

Advocate for : SC

WATER RESOURCE appearing for THE STATE OF ASSAM AND 3 ORS.

Linked Case : WA/150/2021

KANDARPA CHOUDHURY AND 3 ORS.  
S/O LATE SARAT CHOUDHURY  
R/O VILL-BARBANG  
BAMUNPARA  
BARPETA  
PIN-781325

2: PABITRA KUMAR PATHAK  
S/O LATE SARAT CHANDRA PATHAK  
R/O PATHAK HATI  
NEAR BARPETA XATRA  
BARPETA  
PIN-781301

3: MD. AHAL KHAN  
S/O LATE KALU KHAN  
R/O JOTI GAON  
BARPETA  
PIN-781301

4: MAJIBAR RAHMAN  
S/O LATE RAFIQUE ALI  
R/O VILL-TENGAGAON  
SARBHUK  
BARPETA  
PIN-781317  
VERSUS

THE STATE OF ASSAM AND 4 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

2: COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM  
FINANCE DEPARTMENT  
DISPUR

GUWAHATI-781006

3: THE SECRETARY TO THE GOVERNMENT OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR

GUWAHATI-781006

4: THE CHIEF ENGINEER  
WATER RESOURCES DEPARTMENT  
GOVERNMENT OF ASSAM  
CHANDMARI

GUWAHATI-781003  
5:THE EXECUTIVE ENGINEER  
BARPETA WATER RESOURCES DIVISION  
BARPETA  
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Advocate for : MR. K N CHOUDHURY  
Advocate for : SC  
WATER RESOURCE appearing for THE STATE OF ASSAM AND 4 ORS.

Linked Case : WA/149/2021

KHANINDRA DEKA  
S/O LATE HARI CHANDRA DEKA  
R/O SANTIPUR  
MANGALDOI  
DIST-DARRANG  
ASSAM  
PIN-784125

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM  
WATER RESOURCES DEPARTMENT  
DISPUR  
GUWAHATI-781006

3:THE CHIEF ENGINEER  
WATER RESOURCES DEPARTMENT  
GOVERNMENT OF ASSAM  
CHANDMARI  
GUWAHATI-781003  
4:THE EXECUTIVE ENGINEER  
GUWAHATI MANGALDAI WATER RESOURCE DIVISION  
MANGALDAI  
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Advocate for : MR. K N CHOUDHURY  
Advocate for : SC  
WATER RESOURCE appearing for THE STATE OF ASSAM AND 3 ORS

**BEFORE**

**HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA  
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK**

**04.08.2021**

The matter has been taken up today through video conferencing.

Mr. R. M. Deka, learned counsel for the appellants prays for an adjournment. Mr. P. Nayak, learned Standing counsel, Finance, and Ms. R. Baruah, learned Standing counsel, Water Resources Department, representing the State respondents are present.

Adjournment granted.

Put up on **17.08.2021**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**