

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 JIYAU 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

**- B E F O R E -**

**HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA**

**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK**

**17-08-2021**

The matter is taken up through video conferencing.

Heard Mr. K.N. Choudhury, learned senior counsel for the petitioners.

A request for adjournment has been made by Ms. S. Chutia, learned Standing Counsel, Water Resource Department.

Adjourned.

List again on 02.09.2021.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**