

GAHC010174502021



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

**Case No. : WA/292/2021**

BISWA BORDOLOI AND 11 ORS  
S/O LT. JOGEN BORDOLOI, R/O TORAJAN SONARI GAON, P.O. JORHAT, PIN-  
785001, DIST. JORHAT, ASSAM

2: HEMA KANTA DUARAH  
S/O PUNESWAR DUARAH  
R/O CHARING DUARAH PAR  
P.O. CHARING  
PIN-785644  
DIST. SIVASAGAR  
ASSAM

3: MRIDUPABAN DAS  
S/O BHELURAM DAS  
R/O SILIKHABARI  
PIN-785630  
DIST. JORHAT  
ASSAM

4: DHIREN BORAH  
S/O LT. BETHARAM BORAH  
R/O VILL. DA-GAYAN GAON  
P.O. DHEKORGORA  
PIN-785015  
DIST. JORHAT  
ASSAM

5: SUKHIRAM GOGOI  
S/O LT. MONIRAM GOGOI  
R/O NO. 2  
MOTHADANG GAON  
P.O. DEMOWMUKH  
PIN-785640  
DIST. SIVASAGAR

ASSAM

6: PULIN SAIKIA  
S/O LT. BUBAI SAIKIA  
R/O NATUN BALIGAON  
P.O. KOKILAMUKH  
PIN-785108  
DIST. JORHAT  
ASSAM

7: RANA KUMAR BOIRAGI  
S/O LILAKANTA BOIRAGI  
R/O MOGRAHAT CHETIA GAON  
P.O. MOGRAHAT  
PIN-785666  
DIST. SIVASAGAR  
ASSAM

8: HEM SARMAH  
S/O LT. BHADRALAL SARMAH  
R/O RAJABARI E AND D COLONY  
P.O. RAJABARI  
PIN-785014  
DIST. JORHAT  
ASSAM

9: BOPARAM BORAH  
S/O LT. MOHAN BORAH  
R/O JORHAT  
ELD COLONY  
RAJABARI  
JORHAT  
PIN-785014  
DIST. JORHAT  
ASSAM

10: DURGESWAR HAZARIKA  
S/O LT. BOGIRAM HAZARIKA  
R/O MELENG BORKHOLIA  
P.O. BORKHOLIA  
PIN-785101  
DIST. JORHAT  
ASSAM

11: DILIP KR. BORAH  
S/O LT. BOGIRAM HAZARIKA  
R/O NAPAMUA GAON  
P.O. KALIANI

PIN-785015  
DIST. JORHAT  
ASSAM

12: SUSHIL TAMULI  
S/O LT. KANTHIRAM TAMULI  
R/O NO. 1  
LAKHIMIKHAT GAON  
P.O. KALIANI  
PIN-785018  
DIST. JORHAT  
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
WATER RESOURCES DEPTT. DISPUR, GUWAHATI-781006.

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

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

4:THE EXECUTIVE ENGINEER  
JORHAT MECHANICAL WATER RESOURCES DIVISION  
JORHAT-14  
ASSAM

5:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
FINANCE DEPTT. DISPUR  
GHY-6  
ASSA

**Advocate for the Petitioner** : MS D BORGOHAIN, MS. M SARMAH,MR. P GOHAIN

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

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 JIYAUUL 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/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-781382  
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-781006

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Advocate for : MR. K N CHOUDHURY  
Advocate for : SC  
WATER RESOURCE appearing for THE STATE OF ASSAM AND 6 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**  
**HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR**  
**HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

Date : **05.12.2024**  
*(Lanusungkum Jamir, J)*

Heard Mr. N. Gautam, learned counsel for the appellants in Writ Appeal  
No. 148/2021.

On request made by Ms. S. Chutia, learned standing counsel, Water  
Resource Department, list the matter on 21.01.2025.

**JUDGE**

**JUDGE**

**Comparing Assistant**