

GAHC010174502021



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

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

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

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

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

Advocate for : MR. K N CHOUDHURY

Advocate for : SC

WATER RESOURCE appearing for THE STATE OF ASSAM AND 3 ORS

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

06.01.2022

The matter is taken up through video conferencing.

Heard Mr. K.N. Choudhury, learned counsel for the appellants in W.A. No.

148/2021, W.A. No. 149/2021, W.A. No. 150/2021 and W.A. No. 151/2021. Also heard Mr. D. Saikia, learned Advocate General, Assam for the respondents.

On the joint request of the learned counsel for both sides, the matter is adjourned.

List again on **3rd February, 2022.**

JUDGE

CHIEF JUSTICE

Comparing Assistant