

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

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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 THE CHIEF JUSTICE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**Date : 03.03.2022**

Heard Mr. D.J. Das, learned counsel for the appellants.

Ms. S. Chutia holding the brief of Mr. D. Saikia, learned Advocate General,  
Assam seeks adjournment for one week.

Adjourned.

Put up again on *14<sup>th</sup> March, 2022.*

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**