

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 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

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

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

Date : 23-09-2021

These matters are taken up through video conferencing.

Heard Mr. K. N. Choudhury, learned senior counsel for the appellants. Also heard Mr. D. Saikia, learned Advocate General, Assam and Ms. S. Chutia, learned Standing Counsel, Water Resource Department for the respondents.

List the matters again on **29.10.2021.**

JUDGE

CHIEF JUSTICE

Comparing Assistant