

GAHC010089452021



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

**Case No. : WA/148/2021**

1. 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

1. 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**

1. 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

1. 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**

1. 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

1. 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 DEPARTMENTDISPUR 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

1. 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

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

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

**ORDER**

**Date : 01-11-2021**

On the request of Mr. D. Nath, learned Senior Government  
Advocate, Assam, list on **10<sup>th</sup> December, 2021.**

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**