

GAHC010096872024



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

**Case No. : Cont.Cas(C)/255/2024**

M/S S AND J BROTHERS ENTERPRISE  
A PROPRIETORIAL,  
HAVING ITS OFFICE AT DARBAR ROAD,  
SIVASAGAR, DISTRICT- SIVASAGAR,  
ASSAM  
(REPRESENTED BY ITS PROPRIETOR MD. SUBHAN ALI, AGED ABOUT 50  
YEARS).

VERSUS

KAILASH KARTHIK N, I.A.S. AND ORS.  
THE SECRETARY TO THE GOVERNMENT OF ASSAM,  
PUBLIC HEALTH ENGINEERING DEPARTMENT,  
DISPUR, GUWAHATI- 781006,  
KAMRUP(M), ASSAM.

2:JAYANTA NARLIKAR  
I.A.S.

THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM

FINANCE DEPARTMENT

GROUND FLOOR  
F BLOCK

JANATA BHAWAN  
DISPUR

GUWAHATI- 781006  
KAMRUP(M)

ASSAM.

3:DIBYAJYOTI DUARAH  
CHIEF ENGINEER (R)

PUBLIC HEALTH ENGINEERING DEPARTMENT

HENGRABARI  
GUWAHATI-781036

KAMRUP  
ASSAM.

4:AMIYA KUMAR SARMA  
SUPERINTENDING ENGINEER  
DIBRUGARH PUBLIC HEALTH ENGINEERING CIRCLE

DIBRUGARH- 786001

DISTRICT- DIBRUGARH  
ASSAM.

5:RAJEN PHUKAN  
EXECUTIVE ENGINEER SIVASAGAR PUBLIC HEALTH ENGINEERING  
DIVISION

SIVASAGAR- 785640

DISTRICT- SIVASAGAR  
ASSAM.

6:ALAKESH KAKOTY  
JUNIOR ENGINEER PHE STORE  
SIVASAGAR PUBLIC HEALTH ENGINEERING DIVISION

SIVASAGAR- 785640

DISTRICT- SIVASAGAR  
ASSAM.

7:RAJ MOHAN DEURI  
ACCOUNT OFFICER

SIVASAGAR PUBLIC HEALTH ENGINEERING DIVISION

SIVASAGAR- 785640

DISTRICT- SIVASAGAR  
ASSAM.

8:SRI BHASKAR SARMA  
SUPERINTENDING ENGINEER  
DIBRUGARH PUBLIC HEALTH ENGINEERING CIRCLE  
PO-DIBRUGARH  
PIN-786001  
DISTRICT-DIBRUGARH  
ASSAM.

9:SRI AJAY LAHON  
EXECUTIVE ENGINEER  
SIVASAGAR PUBLIC HEALTH ENGINEERING DIVISION  
PO-SIVASAGAR  
PIN-785640  
DISTRICT-SIVASAGAR  
ASSAM

**Advocate for the Petitioner** : MR. P HAZARIKA, P. BORAH,MR. H S BORAH

**Advocate for the Respondent** : MR. I BORTHAKUR, SC, P H E

Linked Case : Cont.Cas(C)/261/2024

JULIE AHMED  
W/O- SUBHAN ALI

R/O- DARBAR ROAD TINIALI  
WARD NO-2  
SIVASAGAR

P.O AND DIST-SIVASAGAR  
ASSAM

VERSUS

KAILASH KARTHIK N IAS AND ORS  
THE SECRETARY TO THE GOVT OF ASSAM PHE DEPARTMENT  
DISPUR  
GUWAHATI-06  
KAMRUP(M)  
ASSAM

2:JAYANT NARLIKAR IAS  
THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM FINANCE  
DEPTT. DISPUR  
GUWAHATI-06  
KAMRUP (M)  
ASSAM

3:DIBYAJYOTI DUARAH  
CHIEF ENGINEER (R)  
PHE DEPARTMENT  
HENGRABARI  
GUWAHATI-36  
KAMRUP  
ASSAM

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SUPERINTENDING ENGINEER DIBRUGARH PHE CIRCLE  
DIBRUGARH-786001  
DIST- DIBRUGARH  
ASSAM

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EXECUTIVE ENGINEER SIVASAGAR PHE DIVISION  
SIVASAGAR-785640  
DIST- SIVASAGAR  
ASSAM

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JUNIOR ENGINEER PHE STORE SIVASAGAR  
PHE DIVISION  
SIVASAGAR-785640  
DIST- SIVASAGAR  
ASSAM

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ACCOUNT OFFICER  
SIVASAGAR PHE DIVISION  
SIVASAGAR-785640  
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SIVASAGAR PUBLIC HEALTH ENGINEERING DIVISION  
PO-SIVASAGAR  
PIN-785640  
DISTRICT-SIVASAGAR  
ASSAM.

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Advocate for : MR. HIMADRI SANKAR BORAH  
Advocate for : MR A CHALIHA(R-2) appearing for KAILASH KARTHIK N IAS  
AND ORS

Linked Case : Cont.Cas(C)/256/2024

MS BRP ENTERPRISE  
A PROPRIETORAL  
HAVING ITS OFFICE AT AT ROAD  
SIVASAGAR  
DIST- SIVASAGAR  
ASSAM  
(REP BY ITS PROPRIETOR  
BIPUL CHILA OJA  
AGE ABOUT 66 YRS)

VERSUS

KAILASH KARTHIK N IAS AND ORS  
THE SECRETARY TO THE GOVT OF ASSAM PHE DEPARTMENT  
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GUWAHATI-06  
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HENGRABARI

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PO-SIVASAGAR  
PIN-785640  
DISTRICT-SIVASAGAR  
ASSAM.

-----  
Advocate for : MR. HIMADRI SANKAR BORAH  
Advocate for : MR. I BORTHAKUR appearing for KAILASH KARTHIK N IAS AND

ORS

Linked Case : Cont.Cas(C)/257/2024

SUBHAN ALI  
S/O- LATE AKONMAN ALI

R/O- DARBAR ROAD TINIALI

WARD NO-2  
SIVASAGAR

P.O- SIVASAGAR  
DIST- SIVASAGAR  
ASSAM

VERSUS

KAILASH KARTHIK N IAS AND ORS  
THE SECRETARY TO THE GOVT OF ASSAM PHE DEPARTMENT  
DISPUR  
GUWAHATI-06  
KAMRUP(M)  
ASSAM

2:JAYANT NARLIKAR IAS  
THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM FINANCE  
DEPTT. DISPUR  
GUWAHATI-06  
KAMRUP (M)  
ASSAM

3:DIBYAJYOTI DUARAH  
CHIEF ENGINEER (R)  
PHE DEPARTMENT  
HENGRABARI  
GUWAHATI-36  
KAMRUP  
ASSAM

4:AMIYA KUMAR SARMA  
SUPERINTENDING ENGINEER DIBRUGARH PHE CIRCLE  
DIBRUGARH-786001  
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EXECUTIVE ENGINEER SIVASAGAR PHE DIVISION  
SIVASAGAR-785640  
DIST- SIVASAGAR  
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JUNIOR ENGINEER PHE STORE SIVASAGAR  
PHE DIVISION  
SIVASAGAR-785640  
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ACCOUNT OFFICER  
SIVASAGAR PHE DIVISION  
SIVASAGAR-785640  
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DIBRUGARH PUBLIC HEALTH ENGINEERING CIRCLE  
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PIN-786001  
DISTRICT-DIBRUGARH  
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EXECUTIVE ENGINEER  
SIVASAGAR PUBLIC HEALTH ENGINEERING DIVISION  
PO-SIVASAGAR  
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DISTRICT-SIVASAGAR  
ASSAM.

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Advocate for : MR. HIMADRI SANKAR BORAH  
Advocate for : MR. I BORTHAKUR appearing for KAILASH KARTHIK N IAS AND  
ORS

Linked Case : Cont.Cas(C)/262/2024

BIPUL CHILA OJA  
S/O- LATE BHUBAN CHILA OJA  
R/O- MELACHAKAR

WARD NO-10  
T.P CHALIHA ROAD  
P.O AND DIST-SIVASAGAR  
ASSAM.

VERSUS

KAILASH KARTHIK N IAS AND ORS  
THE SECRETARY TO THE GOVT OF ASSAM PHE DEPARTMENT  
DISPUR  
GUWAHATI-06  
KAMRUP(M)  
ASSAM

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THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM FINANCE  
DEPTT. DISPUR  
GUWAHATI-06  
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CHIEF ENGINEER (R)  
PHE DEPARTMENT  
HENGRABARI  
GUWAHATI-36  
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DISTRICT-SIVASAGAR  
ASSAM.

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Advocate for : MR. HIMADRI SANKAR BORAH  
Advocate for : MR. I BORTHAKUR appearing for KAILASH KARTHIK N IAS AND  
ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**28.01.2026**

Heard Shri P. Hazarika, learned counsel for the petitioner.

Shri RR Gogoi, learned counsel appearing for the respondents has submitted that the affidavit-in-opposition has been prepared and sent for vetting. He undertakes to file the same shortly.

List on 17.02.2026, prior to which date, affidavit-in-opposition is required to be filed.

**JUDGE**

**Comparing Assistant**