

GAHC010105592023



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

Case No. : WP(C)/2863/2023

NURUL ISLAM AND 8 ORS.
S/O- LATE ABDUL MAZID, R/O- VILL.- KUKURMARA PART-III, P.S.
MANKACHAR, DIST, SOUTH SALMARA MANKACHAR, ASSAM, PIN-
783131.

2: ACHYUT KUMAR NATH
S/O- LATE SONA RAM NATH
R/O- VILL.- MANGOLDAI RAJA PAM WARD NO. 09
P.S. MANGALDAI
DIST. DARRANG
ASSAM
PIN- 784125.

3: SUBHADRA BANIA
S/O- LATE MOHAN CH. BANIA
R/O- VILL.- PITHA KHAWA
P.S. SIPAJHAR
DIST. DARRANG MONGALDAI
MANCACHAR
ASSAM
PIN- 784145.

4: DIPAK BHUYAN
S/O- LATE GHANA KANTA BHUYAN
R/O- VILL.- SATH GHARIA
P.S. SIPAJHAR
DIST. MONGOLDAI
DARRANG
ASSAM
PIN- 784145.

5: RATUL KUMAR BORAH
S/O- LATE DHANESWAR BORAH
R/O- VILL.- POHUKATA

P.S. SAMAGURI
DIST. NAGAON
PIN- 782140.

6: ABDUL BATEN KHONDAKAR
AGED ABOUT-52 YEARS
S/O- LATE MONTAZ ALI KHONDAKAR
R/O- VILL.- BHURAKATA
P.S. MANKACHOR
DIST-SOUTH SALMARA MANKACHAR
PIN- 783131.

7: MONTU BORAH
S/O- LATE PRABINDRA BORAH
R/O- VILL.- GODHARIA GAON
P.S. SADAR NOGAON
DIST. NOGOAN
PIN- 782141.

8: KHUS MOHAMAD ALI
AGED ABOUT-48
S/O- LATE KHABIR ALI
R/O- VILL.- DHAMDHAMA
P.S. GHAGRAPAR
DIST. NALBARI
PIN- 781349.

9: GITA DATTA
AGED ABOUT-62 YEARS
D/O- LATE GOPAL DATTA
R/O- VILL.- DHANIRAM PATHAR
DIST. HOJAI
PIN-782435

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM

2:COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006.

3:COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
IRRIGATION DEPARTMENT.

4:CHIEF ENGINEER IRRIGATION
ASSAM

5:EXECUTIVE ENGINEER
MANKACHAR IRRIGATION DIVISION
HATSINGIMARI.

6:EXECUTIVE ENGINEER
MANGALDOI IRRIGATION DIVISION
MANGALDOI.

7:EXECUTIVE ENGINEER

KALIABOR
KALANG
IRRIGATION DIVISION
JAKHALABANDHA.

8:EXECUTIVE ENGINEER
NALBARI IRRIGATION DIVISION.

9:EXECUTIVE ENGINEER
HOJAI IRRIGATION DIVISION

Advocate for the Petitioner : MR. D P CHALIHA, MS M ROY

Advocate for the Respondent : GA, ASSAM, SC, IRRIGATION,SC, FINANCE

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 24.04.2026

Heard Mr. D. P. Chaliha, learned senior counsel, assisted by Mr. M. Rana, learned counsel, appearing on behalf of the petitioners.

Mr. A. Chakraborty, learned Government Advocate, appearing on behalf of respondent No. 1, prays for further 2(two) weeks time to file the affidavit-in-opposition in the matter.

Mr. A. Chaliha, learned counsel appearing on behalf of respondent No. 2, Mr. N. Upadhayay, learned counsel appearing on behalf of respondent Nos. 3 to 9, and Mr. R. K. Talukdar, learned counsel appearing on behalf of respondent No. 4, have also made a similar prayer.

Prayer is allowed.

In view of the above, list this matter after 2(two) weeks on a date to be fixed by the Registry.

In the meantime, the respondents shall file their respective affidavit-in-opposition.

JUDGE

Comparing Assistant