

GAHC010187472023



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

Case No. : WP(C)/4948/2023

MUSLIM ALI
S/O LT. MAKBUL ALI R/O SUNDARBARI P.S JALUKBARI GUWAHATI 14
DIST. KAMRUP METRO ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND SECRETARY AND SPECIAL SECRETARY
TO THE GOVT OF ASSAM PUBLIC AND WORKS BUILDING AND N.H
DEPTT. DISPUR GUWAHATI 781006

2:THE COMMISSIONER AND SPECIAL SECRETARY
TO THE GOVT OF ASSAM PUBLIC AND WORKS BUILDING AND N.H
DEPTT. DISPUR GUWAHATI 781006

3:THE CHIEF ENGINEER

PUBLIC WORKS DEPTT. (BUILDING) ASSAM CHANDMARI GUWAHATI
781003

4:THE EXECUTIVE ENGINEER

PWD GOALPARA DISTRICT AND SOUTH SALMARA MANKACHAR
DISTRICT TERRITORIAL BUILDING DIVISION GOALPARA PIN 783101

5:THE SPECIAL CHIEF ENGINEER
PWD BUILDING HEALTH AND EDUCATION ASSAM CHANDMARI
GUWAHATI 78100

Advocate for the Petitioner : MR P SARMA, MR. K N CHOUDHURY

Advocate for the Respondent : SC, PWD ROAD,

Linked Case : WP(C)/3793/2022

MUSLIM ALI
S/O LATE MAKBUL ALI
R/O SUNDARBARI
P.S. JALUKBARI
GUWAHATI-14

DIST. KAMRUP (METRO) ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE GOVT. OF ASSAM
PUBLIC WORKS (BUILDING AND N.H.) DEPARTMENT
DISPUR
GUWAHATI-781006

2:COMMISSIONER AND SPECIAL SECRETARY TO THE GOVT. OF ASSAM

PUBLIC WORKS (BUILDING AND N.H.) DEPARTMENT
DISPUR
GUWAHATI-781006

3:THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT (BUILDING)
ASSAM
CHANDMARI
GUWAHATI-781003

4:THE EXECUTIVE ENGINEER

P.W.D. GOALPARA DISTRICT AND SOUTH SALMARA MANKACHAR
DIST. TERRITORIAL BUILDING DIVISION
GOALPARA
(ERSTWHILE THE EXECUTIVE ENGINEER) P.W.D. GOALPARA BUILDING
DIVISION
GOALPARA
ASSAM

Advocate for : MR. K N CHOUDHURY

Advocate for : SC
PWD (BULDING) appearing for THE STATE OF ASSAM AND 3 ORS

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : --11.02.2026

Mr. P. Sarma, learned counsel for the petitioner has reiterated his submission, made on 19.12.2025, that the petitioner is willing to carry out the remaining work at the old rate at which the petitioner was allotted the contract, subject to clearance of the pending RA bills by the respondents.

Mr. B. Gogoi, learned Standing Counsel, PWD has submitted that he has received instruction with regard to the above submission made on behalf of the petitioner from the Chief Engineer, PW[H&E] Department vide an Office Letter dated 11.02.2026. Placing a copy of the same [marked and kept as Document – 'A'], he has submitted that the Department has no objection if the petitioner agrees to give unconditional undertaking before the Court that he will execute the work at the original BOQ rate and the original tender agreement.

In response, Mr. Sarma has submitted that he will obtain instructions with regard to the proposal made from the end of the Department within a week from today.

List the case on 20.02.2026.

JUDGE

Comparing Assistant