

GAHC010115522019



undefined

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

Case No. : WP(C)/3410/2019

ARYAN CHETIA PHUKAN AND 28 ORS.

S/O- BIPIN CHETIA PHUKAN, R/O- LAKWA MAJALIA KONWAR GAON, P.O.
LAKWA, P.S. SIMALUGURI, DIST.- SIVASAGR, ASSAM, PIN- 785688, D.O.B.
31/12/1989.

2: SRI DHANJYOTI BARUAH
S/O- SRI LAKHIDHAR BARUAH
R/O- BORGURI
P.O. BORGURI
DIST.- TINSUKIA
ASSAM
PIN- 786126
D.O.B.- 23/01/1982.

3: SRI JYOTI PRASAD CHUTIA
S/O- LATE BARHOITING
P.O. BARHOITING
DIST.- SIVASAGAR
ASSAM
PIN- 785697
D.O.B.- 31/12/1974.

4: SRI UTTAM MAJUMDAR
S/O- LATE NIPEN MAZUMDAR
R/O- MEZENGA
P.O. MZENGA
DIST.- SIVASAGAR
ASSAM
PIN- 785685.

5: SRI RAJIB GOGOI
S/O- MR. BHARAT GOGOI
R/O- CHEREKAPAR LALIM GAON
P.O. SIVSAGAR

ASSAM
PIN- 786640
D.O.B.- 16/01/1982.

6: SRI ARUN RAJBONSHI
S/O- SRI DHARMA KANTA RAJBONSHI
R/O- SIMALUGURI TOWN
P.O. SIMALUGURI
DIST.- SIVSAGAR
ASSAM
PIN- 785686
D.O.B.- 01/07/1987.

7: SRI DHAJEN BARUAH
S/O- SRI LUKNATH BARUAH
R/O- PANITULA
P.O. PANITULA
DIST.- TINSUKIA
ASSAM
PIN- 786183
D.O.B.- 31/12/1981.

8: SRI LAKHYAJYOTI BARUAH
S/O- LATE PRABIN BARUAH
R/O- PANITULA
P.O. PANITULA
DIST.- TINSUKIA
ASSAM
PIN- 786183
D.O.B.- 31/12/1984.

9: MD. SAZID AHMED
S/O- LATE SAMSUDDIN AHMED
R/O- MARIANI AEGCL
P.O. NAGAZANKA
DIST.- JORHAT
ASSAM
PIN- 785634
D.O.B.- 10/07/1984.

10: SRI BHABA BORPATRA GOHAIN
S/O- SRI PITAMBAR BORPATRA GOHAIN
R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 11/09/1978.

11: SRI KHIROD BORAH
S/O- LATE PRAFULLA BORAH
R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 02/09/1983.

12: SRI TANMOWN TUMTEN
S/O- SRI CHAMKHEN GOHAIN
R/O- TIPAM PHAKE
P.O. JOYPUR
DIST.- DIBRUGARH
ASSAM
PIN- 786614
D.O.B.- 31/12/1987.

13: SRI LAKHYAJIT DAS
S/O- SRI MOHAN DAS
R/O- PARBATPUR
NAMRUP
P.O. PARBATPUR
DIST.- DIBRUGARH
ASSAM
PIN- 786623
D.O.B.- 02/08/1983.

14: SRI GAGAN KURMI
S/O- SRI SIBHA KURMI
R/O- QUARTER NO. 49-A
WEST COLONY NTPS NAMRUP
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 30/01/1979.

15: SRI BABUL MECH
S/O- LATE GOLOK CH. MECH
R/O- BAGHMORA
P.O. JOYPUR
DIST.- DIBRUGARH
ASSAM
PIN- 786614
D.O.B.- 02/09/1983.

16: SRI DHRUBAJYOTI NEOG
S/O- SRI DILIP NEOG
R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 07/01/1989.

17: SRI PARTHAJIT DIHINGIA
S/O- SRI CHANDRAKANTA DIHINGIA
R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 10/04/1987.

18: SRI BISHNUJYOTI HATIBARUAH
S/O- SRI RAMCHANDRA HATIBARUAH
R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 29/07/1983.

19: SRI UTPAL HAZARIKA
S/O- SRI SUSHIL CH. HAZARIKA
R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 31/04/1986.

20: SRI MANURANJAN CHETIA
S/O- LATE PROMUD CH. CHETIA R/O- NAMRUP APGCL NTPS
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 23/09/1985.

21: SRI AI TAN GOHAIN
S/O- SRI CHAIMYA GOHAIN
R/O- NAMRUP APGCL NTPS
P.O. NTPS

DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 19/04/1986.

22: SRI SIDHARTHA BASUMATARI
S/O- PUNINDRA BASUMATARI
R/O- TEOK HABI
P.O. BENGENABARI
DIST.- CHARAIDEO
ASSAM
PIN- 785690
D.O.B.- 01/05/1986.

23: SRI DEVAJIT PHUKAN
S/O- KIRTI PHUKAN
R/O- NITAIPUKHURI
P.O. NITAIPUKHURI
DIST.- SIVASAGAR
ASSAM
PIN- 785671
D.O.B.- 10/03/1987.

24: SRI TAPAN SAIKIA
S/O- SRI PURNA SAIKIA
R/O- SIMALUGURI TOWN
P.O. AND P.S. SIMALUGURI
DIST.- SIVASAGAR
ASSAM
PIN- 785686
D.O.B.- 01/07/1987.

25: SRI DHARANI BURAGOHAIN
S/O- SRI JITEN BURAGOHAIN
R/O- GARAKHIA NAGAR
P.O. NAMATI CHARI ALI
DIST.- SIVASAGAR
ASSAM
PIN- 785684
D.O.B.- 30/11/1988.

26: SRI JINTUMONI GOGOI
S/O- SRI BHABEN GOGOI
R/O- BALIGAON
P.O. SANTAK
DIST.- SIVASAGAR
ASSAM
PIN- 785687

D.O.B.- 20/11/1990.

27: SRI MADAN SHILL
S/O- LATE RANJIT SHILL
R/O- DESANGMUKH ALISEGA
SIVASAGAR
P.O. DESANGMUKH
DIST.- SIVASAGAR
ASSAM
PIN- 785663
D.O.B.- 01/02/1980.

28: SRI BIRAJ HANDIQUE
S/O- SRI MADAN CH. HANDIQUE
R/O- NAMRUP APGCL
P.O. NTPS
DIST.- DIBRUGARH
ASSAM
PIN- 786622
D.O.B.- 15/03/1987.

29: SRI DEEPAK GOGOI
S/O- SRI DIMBEDHAR GOGOI
R/O- JERAI JUGIPATHAR
P.O. PANITULA
DIST.- DIBRUGARH
ASSAM
PIN- 786183
D.O.B.- 31/12/1977

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM, POWER DEPARTMENT, DISPUR, GUWAHATI- 781006.

2:THE ASSAM POWER DISTRIBUTION COMPANY LIMITED

REGD. OFFICE- BIJULEE BHAWAN
PALTAN BAZAAR
GUWAHATI- 781001
REP. BY THE MANAGING DIRECTOR.

3:THE CHAIRMAN

APDCL
APGCL
AEGCL

BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI- 781001.

4:THE ASSAM POWER GENERATION CORPORATION LIMITED

REGD. OFFICE- BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI- 781001
REP. BY THE MANAGING DIRECTOR.

5:THE GENERAL MANAGER
ASSAM POWER GENERATION CORPORATION LIMITED

NTPS
NAMRUP
DIBRUGARH
ASSAM- 786622.

6:THE ASSAM ELECTRICITY GRID CORPORATION LIMITED

REGD. OFFICE- BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI- 781001
REP. BY THE MANAGING DIRECTOR.

7:THE GENERAL MANAGER

APGCL
LTPS

MAIBELA
DIST.- SONARI
ASSAM

Advocate for the Petitioner : MR. B D KONWAR SR. ADV., MRS J M KONWAR,MR. R KALITA,MR. R SALOI,MS. S NEWAR,MS. M K BROWN

Advocate for the Respondent : GA, ASSAM, SC, AEGCL,SC, APDCL

Linked Case : WP(C)/2536/2024

SEKHARJYOTI BORUAH AND 11 ORS
S/O LATE GOBIN BARUAH
R/O VILL- TINGRAI
P.O.-TINGRAI BAZAR
P.S.-DIGBOI
DIST-TINSUKIA

ASSAM
PIN-786171

2: RAMEN HAZARIKA
S/O LATE ATUL HAZARIKA
R/O VILL- HAZARIKA GAON
P.O.-NAKACHARI
P.S.-MARIANI
DIST- JORHAT
ASSAM
PIN-785635

3: DHANJYOTI BARUAH
S/O LAKHIDHAR BARUAH
R/O VILL- LAZAIHULA
P.O.-BORGURI
P.S.-TINSUKIA
DIST- TINSUKIA
ASSAM
PIN-786126

4: RUPAM GOGOI
S/O LATE TILAI GOGOI
R/O HOWRAGHAT TOWN
P.O.-HOWRAGHAT
P.S.-HOWRAGHAT
DIST- KARBI ANGLONG
ASSAM
PIN-702481

5: JAHNAB KONWAR
S/O KHAGEN KONWAR
R/O VILL- ANGERA KONWAR GAON
P.O.-DHOLE BAZAR
P.S.-MATHURAPUR
DIST-CHARAIDEO
ASSAM
PIN-785686

6: SIDDIQUE AHMED
S/O LATE SIAJUDDIN AHMED
R/O VILL- POTIA GAON
P.O.-POTIA GAON
P.S.-NORTH WEST JORHAT
DIST- JORHAT
ASSAM
PIN-785101

7: NILOTPAL DEKA
S/O MAHESWAR DEKA
R/O VILL- 2 NO. KALAIGAON
P.O. AND P.S.-KALAIGAON
DIST-UDALGURI
ASSAM
PIN-784252

8: BISHNU PRASAD KALITA
S/O RAMA KANTA KALITA
R/O VILL- GARMUR
P.O.-JEC
P.S.-JORHAT
DIST-JORHAT
ASSAM
PIN-785007

9: DIP CHANGPHA CHETIA
S/O DIGANTA CHETIA
R/O VILL- SUKAFANAGAR
P.O.-DHOLE BAZAR
P.S.-MATHURAPUR
DIST- CHORAIDEO
ASSAM
PIN-785686

10: SIMANTA CHETIA
S/O PREMADHAR CHETIA
R/O 8 NO BLOCK
P.O.-BORHULLA
P.S.-BORHULLA
DIST- JORHAT
ASSAM
PIN-785631

11: PRANJAL CHETIA
S/O DILIP CHETIA
R/O VILL- PANIDIHINGIA
P.O.-KAMARGAON
P.S.-KAMARGAON
DIST-GOLAGHAT
ASSAM
PIN-785619

12: BIKASH DUTTA
S/O ANIL DUTTA
R/O VILL- MOINAPORIA
P.O.-LAHDOIGARH

P.S.-LAHDOIGARH
DIST- JORHAT
ASSAM
PIN-785700
VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
DEPARTMENT OF POWER
DISPUR
GUWAHATI-06

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06

3:THE MANAGING DIRECTOR
APDCL
APGCL
AEGCL
(ASSAM POWER DISTRIBUTION COMPANY LIMITED
ASSAM POWER GENERATION CORPORATION LIMITED
ASSAM ELECTRICITY GRID CORPORATION LIMITED)
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI-07

4:THE GENERAL MANAGER
ASSAM POWER DISTRIBUTION COMPANY LIMITED
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI-07

5:THE GENERAL MANAGER
ASSAM POWER GENERATION CORPORATION LIMITED
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI-07

6:THE GENERAL MANAGER
ASSAM ELECTRICITY GRID CORPORATION LIMITED
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI-07

Advocate for : MS M DAS

Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 04.11.2025

Heard Mr. J. Singh, learned counsel appearing for the petitioner in WP(C) No. 3410/2019. Also heard Mr. N. Sarma, learned standing counsel appearing for the APDCL; Mr. H. R. Das, learned counsel appearing on behalf of Mr. D. Nath, learned standing counsel, APGCL appearing for the respondent Nos. 3, 4, 5 and 7 in WP(C) No. 3410/2019 and respondent No. 5 in WP(C) No. 2536/2024 and Ms. K. Phukan, learned standing counsel appearing for the AEGCL.

None appears for the petitioner in WP(C) No. 2536/2024.

Mr. N. Sarma, learned standing counsel appearing for the APDCL, submits that the additional affidavit shall be filed during the course of the day.

In view of the aforesaid endorsement, re-list the matter after a week on a date to be fixed by the Registry.

JUDGE

Comparing Assistant