

GAHC010006492026



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

Case No. : I.A.(Civil)/99/2026

DULAL AHMED MAZUMDAR
S/O- LATE MOHIBUR RAHMAN MAZUMDAR, RESIDENT OF VILLAGE-
BERENGA, ..- BERENGA, P.S. SILCHAR SADAR. DIST. CACHAR, ASSAM.
PIN- 788115

2: TAPAN DAS
S/O LT. AMULYA KUMAR DAS
RESIDENT OF THANA ROAD
P.S. AND DIST. KARIMGANJ
ASSAM. PIN. 788710.

3: TAYABUR RAHMAN LASKAR
S/O LT. CHANDA MIA LASKAR
RESIDENT OF SAIDPUR-I
P.O. SONABARIGHAT
P.S. SILCHAR SADAR
DIST- CACHAR
ASSAM. PIN-788013

4: NAZIR UDDIN BARBHUIYA
S/O- SOFAR UDDIN BARBHUIYA
RESIDENT OF VILLAGE- UTTAR KRISHNAPUR-2
DIST. CACHAR ASSAM. PIN- 788104.

5: MAIJUL HOQUE LASKAR
S/O -LATE GULZAR ALI LASKAR
RESIDENT OF VILL- KANAKPUR
P. KANAKPUR
DIST. CACHAR
ASSAM. PIN. 788006.

6: SURANJAN DAS
S/O RABINDRA KUMAR DAS
RESIDENT OF PATHARKANDI WARD NO-3. P.O. PATHARKANDI

DIST. KARIMGANJ
ASSAM
PIN. 788724.

7: MONISH KANTI DEY PURKAYASTHA
RESIDENT OF TARAPUR
E AND D COLONY IRRIGATION QUARTER
P.O. TARAPUR
DIST. CACHAR ASSAM
PIN 788003.

8: FAIZUR RAHMAN

S/O LT. IBRAHIM ALI
RESIDENT OF VILLAGE HILCHAR
.. SRIGOURI
DIST. KARIMGANJ
ASSAM. PIN 788806

VERSUS

SRI KUJENDRA DOLEY
, THE SECRETARY TO THE GOVT. OF ASSAM, IRRIGATION DEPARTMENT,
DISPUR GUWAHATI - 781006.

2:SRI LUHITESH CHANDRA PATAK
THE CHIEF ENGINEER
IRRIGATION DEPARTMENT
CHANDMARI
GUWAHATI781003.

3:AKBAR HUSSAIN CHOUDHURY

THE SUPERINTENDING ENGINEER
CACHAR CIRCLE IRRIGATION
SILCHAR CUM PRESENT CHAIRMAN SELECTION COMMITTEE
CACHAR CIRCLE IRRIGATION
SILCHAR-788001

4:NAKUL CHANDRA BISWAS
THE SUPERINTENDING ENGINEER
CACHAR CIRCLE IRRIGATION
SILCHAR CUM FORMER CHAIRMAN
SELECTION COMMITTEE
CACHAR CIRCLE IRRIGATION
SILCHAR-788001.

5:RAMANDRA NARAYAN BARMON

THE EXECUTIVE ENGINEER
SILCHAR MECHANICAL DIVISION IRRIGATION
KANAKPUR
SILCHAR- 788006.

6:MR HEMANTA NARZARY

I.A.S
THE PRESENT PRINCIPAL SECRETARY IRRIGATION DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
PIN-781006

7:MR MAHENDRA MOHAN BORO

THE PRESENT CHIEF ENGINEER IRRIGATION DEPARTMENT
GOVERNMENT OF ASSAM
CHANDMARI
GUWAHATI781003.

8:K M GOPAL SENA RAJ KUMAR

THE PRESENT SUPERINTENDING ENGINEER IRRIGATION DEPARTMENT
CACHAR DIVISION
SILCHAR- 788006.

9:MR SURDAS BATTACHARJEE

THE PRESENT EXECUTIVE ENGINEER SILCHAR MACHANICAL DIVISION
IRRIGATION KANAKPUR
SILCHAR788006.

10:MR BROJEN MALAKAR
THE PRESENT CHIEF ENGINEER
IRRIGATION
DEPARTMENT
CHANDMARI
GUWAHATI-781003.

11:K M GOPAL SENA RAJ KUMAR
THE PRESENT CHIEF ENGINEER
IRRIGATION
DEPARTMENT
CHANDMARI
GUWAHATI-781003.

12:DHRUBAJYOTI ROY CHOWDHURY
THE PRESENT CHIEF ENGINEER

IRRIGATION
DEPARTMENT
CHANDMARI
GUWAHATI-781003

Advocate for the Petitioner : MR S AHMED, G UDDIN

Advocate for the Respondent : MR. N UPADHAYAY, SC, IRRIGATION

Linked Case : Cont.Cas(C)/151/2017

Dulal Ahmed Mazumdar and 7 Ors.
S/O. LT. MOHIBUR RAHMAN MAZUMDAR
VILL. BERENGA
P.O. BERENGA
P.S. SILCHAR SADAR
DIST. CACHAR
ASSAM
PIN-788115.

VERSUS

Kujendra Doley and 10 Ors.
The Secretary to the Govt. of Assam
Irrigation Deptt.
Dispur
Ghy-06.

2:Sri Luhitesh Chandra Patak
The Chief Engineer
Irrigation Deptt.
Chandmari
Guwahati-3.

3:Akbar Hussain Choudhury
The Superintending Engineer
Cachar Circle (Irrigation)
Silchar cum present Chairman of Selection Committee
Cachar Circle (Irrigation)
Silchar-06.

4:Nakul Chandra Biswas

the Superintending Engineer
Cachar Circle (Irrigation)
Silchar cum former Chairman
Selection Committee
Cachar Circle (Irrigation)
Silchar-06.

5:Ramandra Narayan Barmon
The Executive Engineer
Silchar Mechanical Division (Irrigation)
Kanakpur
Silchar-06.

6:Mr. Hemanta Narzary
IAS
The present Principal Secretary
Irrigation Department
Govt. of Assam
Dispur.

7:Mr. Mohendra Mohan Boro
The present Chief Engineer
Irrigation Department
Government of Assam
Chandmari
Guwahati-3

8:K. M. Gopal Sena Rajkumar
The present Superintending Engineer
Irrigation Department
Cachar Division
Silcahr-06.

9:Mr. Surdas Battacharjee
The present Executive Engineer
Silchar Mechanical Division (Irrigation)
Kanakpur
Silchar-06.

10:Sri Brojen Malakar
Chief Engineer
Irrigation Department
Chandmari
Guwahati-781003.

11:K M Gopal Sena Raj Kumar
The Present Chief Engineer
Irrigation Department

Chandmari
Guwahati-781003.

Advocate for : MR.S AHMED
Advocate for : MR.M HUSSAINR appearing for Kujendra Doley and 10 Ors.

BEFORE
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

17-02-2026

- 1.** Heard Mr. G. Uddin, learned counsel for the petitioners and Mr. N. Upadhyaya, learned counsel for the respondents.
- 2.** The present contempt petition is filed alleging willful and deliberate violation of the order dated 17.08.2016 passed in WP(C) No. 4253/2016.
- 3.** By the aforesaid order, the respondents were directed to consider the cases of the petitioners for promotion to the higher posts as the concerned Selection Committee has already recommended their names for promotion, way back on 05.01.2015.
- 4.** During the pendency of this proceeding, the petitioner Nos. 1 to 7, have already been promoted to the higher posts pursuant to a recommendation of Review Departmental Promotion Committee.
- 5.** It is the grievance of the petitioner No.8 that till date, his case has not been considered. However, in the meantime, he retired from service on 30.04.2023.
- 6.** This contempt petition is pending since the year 2017. The affidavits are exchanged.
- 7.** The affidavits filed by the respondents are not clear, however, what is discernible

is that the promotional posts of 'Helper' is "Assistant Welder", "Assistant Mechanic" and "Assistant Fitter" and the petitioner Nos. 1 to 7 have already been promoted against those vacant posts. In the affidavits, it is nowhere clarified the reason of non-consideration/rejection of the case of the petitioner No.8.

8. Mr. Upadhyaya, learned counsel for the respondents submits that he may be granted some time to complete his instruction whether the case of the petitioner No. 8 was also considered along with the petitioner Nos. 1 to 7, and if so, the reason for non-granting of promotion to him.

9. List this matter again on **06.03.2026**.

JUDGE

Comparing Assistant