

GAHC010217032024



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

Case No. : I.A.(Civil)/3242/2024

CHIRIYAKHANA PATHA JYESTHO NAGARIK SANSHTA
REPRESENTED BY ITS PRESIDENT HAVING ITS OFFICE AT HOUSE NO. 3,
PALASHPATH, SENDURIALI, P.O. ZOO ROAD, GUWAHATI 24, ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS
THROUGH ITS SECY., URBAN DEVELOPMENT DEPTT., GOVT. OF ASSAM
JANATA BHAVAN, 1ST FLOOR, D BLOCK DISPUR, GUWAHATI 06, ASSAM.

2:THE SECY. TO THE GOVT. OF ASSAM
PUBLIC HEALTH ENGINEERING DEPTT.
ASSAM SECRETARIAT
DISPUR
GUWAHATI 781006

3:GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
THROUGH CHIEF EXECUTIVE OFFICER
NEAR GUWAHATI MEDICAL COLLEGE
GUWAHATI 781001

4:THE COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION PANBAZAR
GUWAHATI 781001

5:THE MANAGING DIRECTOR
GUWAHATI METROPOLITAN DRINKING WATER AND SEWERAGE BOARD
1ST FLOOR
TRIPTI TOWERS GANESHGURI

GUWAHATI 781005

6:THE CHAIRMAN

CENTRAL GROUND WATER BOARD (CGWB) MINISTRY OF JAL SHAKTI
DEPTT. OF WATER RESOURCES
RIVER DEVELOPMENT AND GANGA REJUVENATION
GOVT. OF INDIA
BHUJAL BHAWAN
NH-IV, FARIDABAD 12100

Advocate for the Petitioner : MR. A PHUKAN, MR. W SHARMA

Advocate for the Respondent : GA, ASSAM, SC, G M D A,SC, GMC,SC, WATER RESOURCE,SC,
P H E,MR. K GOGOI

Linked Case : PIL/57/2021

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BHUJAL BHAWAN
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FARIDABAD 121001

For petitioner/appellant(s): Mr. A. Phukan, Advocate

For respondent(s) : Mr. D. Saikia, AG, Assam
Mr. S. Bora, SC, GMC
Ms. R. Barua, Advocate
Mr. K. Gogoi, CGC

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

24.10.2025

(Ashutosh Kumar, CJ)

We have heard Mr. A. Phukan, learned Advocate for the petitioner and Mr. D. Saikia, learned Advocate General, Assam, for the respondents.

The case relates to non-completion of the South West Guwahati Water Supply Project, which was initiated in order to preserve the ground water and to provide potable water to the residents of the city of Guwahati.

Drawing attention to the audit report of the CAG, India, on Social, Economic and General Sectors for the year ending 31st March, 2022, Mr. Phukan has pointed out that there had been embezzlement of funds meant for the project and he suggests that such swindling of funds is one of the reasons for the delayed completion of the project.

On the contrary, the learned Advocate General has submitted that the audit report was in respect of the year 2022, which was done in a routine manner, and whatever anomaly was pointed out in the audit report has now been rectified. The difficulty now is that most of the citizens of Guwahati are reluctant to use potable water supplied through pipelines; rather, they are content with their private borings in their houses for recovering ground water.

He further submits that not only the deficiencies pointed out in the audit report have been rectified but necessary action has also been taken in that regard and even the excess money paid to the contractor has been clawed back and most of the projects have now become functional.

The learned Advocate General submits that on the next date he shall bring on record, in detail, the action taken against the erring contractor as well as the updated status of the project as on date.

List this matter for further consideration on **25.11.2025**.

JUDGE

CHIEF JUSTICE

Comparing Assistant