

GAHC010146562026



2026:GAU-AS:10206

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

Case No. : WP(C)/3713/2026

MOKSED ALI MANDAL
S/O- LT. SATTAR ALI MANDAL.
VILL - KAHIBARI PT-I, P.S.- ABHAYAPURI, DIST.- BONGAIGAON, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, TRANSPORT DEPARTMENT, ASSAM, DISPUR, GUWAHATI-6

2:THE DIRECTOR OF INLAND WATER TRANSPORT
ASSAM
ULUBARI
GUWAHATI-07.

3:THE EXECUTIVE ENGINEER
INLAND WATER TRANSPORT
ASSAM
ULUBARI
GUWAHATI-07

4:MOHIR UDDIN
S/O- AMIR HUSSAIN

VILL.- SONTOSHPUR PT-II
P.O.- SONTOSHPUR
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN -783384

For the Petitioner(s) : Mr. P. Rahman, Advocate

For the Respondent(s) : Ms. M.D. Borah, Standing Counsel
Mr. K. Kalita, Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 24.07.2026

Heard Mr. P. Rahman, the learned counsel appearing on behalf of the petitioner. Ms. M.D. Borah, the learned Standing Counsel appears on behalf of respondent Nos. 1, 2 and 3 and Mr. K. Kalita, the learned counsel appears on behalf of the respondent No. 4.

2. The present writ petition has been filed by the petitioner being aggrieved by the action on the part of the respondent authorities in permitting the respondent No. 4 to run the ferry service during the temporary settlement granted in favour of the petitioner, which was valid up to 31.07.2026.

3. This Court takes note of that upon the filing of the writ petition, the learned Coordinate Bench of this Court vide the order dated 17.07.2026, while issuing notice, suspended the order dated 15.07.2026 whereby the respondent No. 4 was permitted to run the ferry service w.e.f. 16.07.2026 till

31.07.2026. Consequently, the said order dated 15.07.2026 remained suspended vide the order dated 17.07.2026 passed by the learned Coordinate Bench of this Court.

4. Ms. M.D. Borah, the learned Standing Counsel appearing on behalf of the respondent Nos. 1 to 3 submitted that in view of the order dated 17.07.2026 passed by this Court, the respondent Nos. 1, 2 and 3 shall not disturb the petitioner's temporary settlement, which remains valid up to 31.07.2026. The learned Standing Counsel further submitted that w.e.f. 01.08.2026, the respondent No. 4, having been found to be technically qualified and the highest bidder pursuant to the Notice Inviting Tender, shall be permitted to run the ferry service and in that regard has placed before this Court an Office Order dated 17.07.2026, which is kept on record and marked with the letter "X".

5. Taking into account the said aspect, and as the petitioner's temporary settlement up to 31.07.2026 stands protected, nothing further survives for adjudication in the present writ petition. Accordingly, the writ petition stands closed.

6. Before parting with the records, this Court observes that the submission made by the learned Standing Counsel for the respondent Nos. 1, 2 and 3 that the petitioner shall not be disturbed to run the ferry service up to 31.07.2026, coupled with

the Office Order dated 17.07.2026 which is kept on record and marked with the letter "X", shall be taken as an undertaking given on behalf of the respondent Nos. 1, 2 and 3 that the petitioner's temporary settlement shall not be disturbed till 31.07.2026.

7. It is, however, made clear that after 31.07.2026, the petitioner shall have no right to continue operating the ferry service unless permitted by a separate order.

JUDGE

Comparing Assistant