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

Case No. : WP(C)/4110/2026

ABDUL HAI ALIAS ABDUL HYE AND 3 ORS
S/O LT. BAHAZ UDDIN AHMED, VILL- AIRONJANGLA, P.O A.M CO-ROAD,
P.S DHUBRI DIST- DHUBRI, ASSAM.

2: GULZAR ALI
S/O- LATE SUDU SK
VILL- GASPARA
P.O DHARMASALA
P.S. DHUBRI DIST.- DHUBRI
ASSAM.

3: NOOR ISLAM
S/O- LATE ASAN ALI
VILL- ROWA PT-II
P.O MADHUSOULMARI
P.S DHUBRI DIST DHUBRI
ASSAM.

4: HABIBAR RAHMAN
S/O- LATE ABDUS SAFUR SK
VILL- SINGIMARI
P.O DHARMASALA
P.S DHUBRI DIST.- DHUBRI
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
TRANSFORMATION AND DEVELOPMENT DEPARTMENT, ASSAM, BLOCK-
F, JANATA BHAWAN, DISPUR, GUWAHATI- 06.

2: THE DISTRICT COMMISSIONER
DHUBRI P.O. DHUBRI DIST.- DHUBRI

ASSAM
PIN- 783301

3:THE DISTRICT FINANCE AND ACCOUNT OFFICER
DHUBRI P.O. DHUBRI DIST.- DHUBRI
ASSAM
PIN- 783301

4:THE BLOCK DEVELOPMENT OFFICER
DHARMASALA DEVELOPMENT BLOCK
DHARMASALA
P.O. DHARMASALA
DIST.- DHUBRI
ASSAM
PIN- 783324

Advocate for the Petitioner : MR. S ISLAM, MR. T A RAHMAN, A R MONDAL, MR. AAYAAZ
TAUFIQ

Advocate for the Respondent : GA, ASSAM, SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

05.08.2026

Heard Mr. S. Islam, learned counsel for the petitioners; Mr. S. Dutta, learned Standing Counsel, Panchayat and Rural Development Department for the respondent nos. 1, 2 & 4; and Mr. A. Chaliha, learned Standing Counsel, Revenue Department, Government of Assam for the respondent no. 3.

2. The petitioners, four in nos., have stated that they are Presidents of Construction Committees constituted for implementation of schemes under Members of Legislative Assembly Area Development [MLAAD] Fund for the years : 2024-2025 & 2025-2026 under Dhubri Legislative Assembly Constituency [LAC]. The petitioners have stated that the construction works selected by the Construction Committees, headed by the petitioners, were

duly approved by the District Level Committee and after due examination, amounts were also sanctioned against those construction works. The respondent no. 2 and the respondent no. 3 had also released amounts against some of the approved and selected construction works.

3. However, due to transfer of the earlier incumbent holding the office of the respondent no. 2 and imposition of Model Code of Conduct for the General Election to the Assam Legislative Assembly in the year 2026, the amount sanctioned for the remaining approved and selected construction works were not released earlier. The petitioners have come to learn that due to pressure created by the newly elected MLA of Dhubri LAC, the remaining amount sanctioned already for the remaining approved and selected construction works have not been released to the Construction Committees, headed by the petitioners, till date. It is the allegation of the petitioners that the respondent authorities are now contemplating to divert the said amount to other schemes. Hence the writ petition.

4. Issue notice, returnable on 14.09.2026.

5. As Mr. Dutta, learned Standing Counsel, P&RD has appeared and accepted notices on behalf of the respondent nos. 1, 2 & 4; and Mr. Chaliha, learned Standing Counsel, Revenue Department, Government of Assam has appeared and accepted notices on behalf of the respondent no. 3, issuance of formal notice to the respondents is dispensed with. Mr. Islam, learned counsel for the petitioners shall furnish requisite nos. of extra copies of the writ petition along with the annexures to Mr. Dutta and Mr. Chaliha within 2 [two] working days from today.

6. The respondent authorities are to traverse the contentions made by the petitioners in this writ petition by filing counter affidavits on or before the returnable date.

7. List the case on 14.09.2026.

8. The name of Mr. S. Dutta, learned Standing Counsel, Panchayat & Rural Development

Department for the respondent nos. 1, 2 & 4 be reflected in the respondents' side in the Cause-List.

JUDGE

Comparing Assistant