

GAHC010165962023



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

Case No. : WP(C)/4363/2023

KAMAL KAKATI
S/O- LATE KANTESWAR KAKATI,
R/O- KAHILIPARA, APBN 2 NO. GATE,
P.O.- BINOVA NAGAR, GUWAHATI,
ASSAM, PIN- 781018.

VERSUS

THE STATE OF ASSAM AND 3 ORS
THROUGH-
THE SECRETARY,
TO THE GOVERNMENT OF ASSAM,
WATER RESOURCES DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE CHIEF ENGINEER
WATER RESOURCE DEPARTMENT
BELTOLA CHARIALI
GUWAHATI- 781028.

3:THE SUPERINTENDING ENGINEER
NAGAON WATER RESOURCE CIRCLE
NAGAON
ASSAM
PIN- 782003.

4:THE EXECUTIVE ENGINEER
TEZPUR WATER RESOURCE DIVISION
TEZPUR
SONITPUR
ASSAM

PIN- 784001.

5:THE DEPUTY COMMISSIONER
SONITPUR
TEZPUR

DISTRICT-SONITPUR
ASSAM
PIN-784001

Advocate for the Petitioner : MR. S C BISWAS, MS A BORAH,MS. J GHOSH,MR. P S BISWAS

Advocate for the Respondent : SC, WATER RESOURCE, GA, ASSAM,MR. S R BORUAH

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

01.12.2025

Heard Ms. J. Ghosh, learned counsel appearing for the petitioner. Also heard Mr. S. R. Baruah, learned Government Advocate, Assam and Mr. R.M. Das, learned Standing Counsel, Water Resource Department.

The learned counsel appearing for the respondent nos. 2, 3 and 4 has placed before this Court a communication from the Executive Engineer, Sonitpur, Water Resources Division, Tezpur to the Chief Engineer, Water Resources Department, Basistha, Guwahati-6 stating that the demand for release of fund for the additional work carried out by the petitioner has been forwarded to the Revenue & Disaster Management (General) Department, Dispur by communication dated 26.02.2020. However, the Revenue & Disaster Management (General) Department has not released the additional fund amounting to Rs.21,30,820/- (Rupees Twenty One Lakh Thirty Thousand Eight Hundred and Twenty). It is noticed that the Revenue & Disaster Management (General) Department, Dispur, Guwahati is not impleaded as a party in the writ

petition though their presence would be necessary to adjudicate the claim of the petitioner. As such, the Additional Chief Secretary, Revenue & Disaster Management (General) Department, Dispur, Guwahati-6 be impleaded as respondent no. 6 in this writ petition.

Mr. A. Bhattacharjee, learned Standing Counsel, Revenue & Disaster Management (General) Department enters appearance on behalf of the newly impleaded respondent no. . Petitioner to file an amended cause title. Requisite nos. of extra copies be served upon Mr. Bhattacharjee, the learned Standing Counsel, Revenue & Disaster Management (General) Department.

List this matter again after 3 (three) weeks on a date to be fixed by the Registry.

Mr. Bhattacharjee, the learned Standing Counsel, Revenue & Disaster Management (General) Department shall obtain his instructions with regard to the communication dated 26.02.2020 by which the demand for release of the additional came to be raised.

Copy of the communication dated 28.11.2025 is kept on record and marked as "x".

JUDGE

Comparing Assistant