

GAHC010185652023



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

Case No. : WP(C)/4978/2023

DIPAK SARMAH @ DEEPAK SARMA AND 11
S/O- LATE MAHENDRA SHARMA,
R/O- VILL- BARALIMARA,
P.O.- BEDETI, P.S.- BEHALI,
DISTRICT- BISWANATH, ASSAM.

2: NIPEN KAKATI
S/O- BABUL KAKATI
R/O- VILL.- LALPUKHURI
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

3: MANORANJAN SARKAR
S/O- LATE KULENDRA SARKAR
R/O- VILL. 2 NO. BARALIMARA
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

4: JITEN BORA @ JITEN BARUAH
S/O- MAHIDHAR BARUAH
R/O- VILL.- BARALIMARA
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

5: MAHENDRA BARUAH
S/O- NANDESWAR BARUAH
R/O- VILL.- BEDETI CENTRE
P.O.- BEDETI

P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

6: DIMBO BORAH @ DIMBA BORAH
S/O- KAMAL BORAH
R/O- VILL- BARALIMARA
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

7: BHOGESWARI DUARAH
C/O- MAINA DUARAH
R/O- VILL. BARAJULI GAON
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

8: SUBRATA DAS
S/O- MAKHAN DAS
R/O- VILL.- MARAN GAON
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

9: ANJU KAUR
W/O- PRITAM SINGH
R/O- VILL.- BARALIMARA
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

10: KAMAL GHOSH
S/O- LATE SANTOSH GHOSH
R/O- VILL.- BARALIMARA
P.O.- BEDETI
P.S.- BEHALI
DISTRICT- BISWANATH
ASSAM.

11: KHAGEN DUWARA
S/O- PRADIP DUWARA
R/O- BARALIMARA

P.O.- BEDETI
P.S.- BEHALI

DISTRICT- BISWANATH
ASSAM.

12: PAPPU LAHAN
ON BEHALF OF HIS DECEASED FATHER LATE BIPUL LAHAN

R/O 1 NO. BARALIMARA

P.O.- BEDETI
P.S.- BEHALI

DISTRICT- BISWANATH
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE PUBLIC
WORKS (ROADS) DEPARTMENT (LOK NIRMAN BHIBHAG),
GOVT. OF ASSAM, PUBLIC WORKS ROADS DEPARTMENT,
GROUND FLOOR, BLOCK B, ASSAM SECRETARIAT,
DISPUR, GUWAHATI- 781006, ASSAM.

2:THE CHIEF ENGINEER
PWD (ROADS)
PUBLIC WORKS (ROADS) DEPARTMENT

OFFICE OF THE CHIEF ENGINEER

PWD(ROADS)

CHANDMARI
GUWAHATI- 781003

ASSAM.

3:JUNIOR ENGINEER
P.W.D. TEZPUR BUILDING DIVISION
TEZPUR
MAHABHAIRAB

TEZPUR
784001
ASSAM.

4:ASSTT. EXECUTIVE ENGINEER
PWD
BISWANATH CHARIALI
BUILDING SUB-DIVISION

BISWANATH CHARIALI

PIN- 784176.

5:THE DEPUTY COMMISSIONER
DISTRICT- BISWANATH
PIN- 784176.

6:THE CIRCLE OFFICER
BISWANATH CHARIALI REVENUE CIRCLE
BISWANATH CHARIALI
PIN- 784176.

7:NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT
CORPORATION LIMITED (NHIDCL)
REPRESENTED BY THE MANAGING DIRECTOR

3RD FLOOR
PTI BUILDING

4-PARLIAMENT STREET
NEW DELHI- 110001.

8:REGIONAL HEAD OF REGIONAL OFFICE OF NATIONAL HIGHWAYS AND
INFRASTRUCTURE DEVELOPMENT CORP. LTD.
(NHIDCL)

2ND FLOOR
AGNISHANTI BUSINESS PARK

GNB ROAD
OPP. SGP OFFICE

AMBARI
GUWAHATI

ASSAM- 781001

Advocate for the Petitioner : MR S C DAS, P BURAGOHAIN

Advocate for the Respondent : SC, PWD, SC, NHIDC,GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 23.10.2024

Mr. P. Buragohain, learned counsel for the petitioners; Ms. S. Konwar, learned Junior Government Advocate, Assam for the respondent nos. 5 & 6; and Mr. C. Baruah, learned Standing Counsel, NHIDCL for the respondent nos. 7 & 8 are present.

The petitioners' side has prayed for and is granted 1 [one] week's time to file respective affidavit-in-reply to the affidavits-in-opposition filed by the respondent no. 6 and the respondent nos. 7 & 8 respectively.

List the case after 1 [one] week.

JUDGE

Comparing Assistant