

GAHC010203082021



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

Case No. : WP(C)/6309/2021

MUSLIM ALI
S/O LATE MAKBUL ALI
R/O SUNDARBARI
P.S. JALUKBARI, GUWAHATI-14, DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND AND SPECIAL SECRETARY TO THE
GOVT. OF ASSAM,
PUBLIC WORKS DEPARTMENT (ROADS) DISPUR, GUWAHATI- 781006

2:THE COMMISSIONER AND SPECIAL SECRETARY TO THE GOVT. OF
ASSAM
PUBLIC WORKS DEPARTMENT (ROADS) DISPUR
GUWAHATI- 781006.

3:THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT (ROAD AND PMGSY WORKS)
ASSAM
CHANDMARI
GUWAHATI-3
DIST. KAMRUP (METRO)
ASSAM

4:SUPERINTENDING ENGINEER
PUBLIC WORKS DEPARTMENT
NALBARI ROAD CIRCLE
NALBARI
DIST.NALBARI
ASSAM

5:THE EXECUTIVE ENGINEER
PWD

NALBARI RURAL ROAD DIVISION
NALBARI
NOW RE-DESIGNATED AS THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT (ROADS)
NALBARI DISTRICT TERRITORIAL ROAD DIVISION
NALBARI
ASSAM

Advocate for the Petitioner : MR. D DAS SR. ADV, MR P SARMA

Advocate for the Respondent : SC, PWD,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 04.11.2024

Heard Mr. D. Das, learned Senior Counsel assisted by Mr. P. Sarma, learned counsel for the petitioner and Mr. P. Nayak, learned Standing Counsel, Public Works Department [PWD] for all the respondents.

By the previous orders dated 28.05.2024, 04.06.20274 and 16.08.2024, the learned Standing Counsel, PWD was asked to receive instructions and/or to produce the records pertaining to rejection of the proposal sent vide Letter no. 3532 dated 24.01.2011 of the Executive Engineer, PWD, Nalbari Rural Road Divison, Nalbari, by the Chief Engineer, PWD, a stand taken in Paragraph 4 of the affidavit-in-opposition filed by the Chief Engineer, PWD [Border Roads & NEC] himself.

Mr. Nayak has sought for 2 [two] weeks' time to obtain written instructions and/or to produce relevant records pertaining to the issue, apart from raising issue of maintainability of the writ petition.

The prayer is allowed.

List the case accordingly after 2 [two] weeks.

JUDGE

Comparing Assistant