

GAHC010203952025



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

Case No. : PIL/48/2025

1.DIPANKAR CHOWDHURY AND 4 ORS.
S/O HARAN CHOWDHURY, R/O VILL AND P.O.- BASHPARA, P.S.-
MISSAMARI, PIN-784506, DIST- SONITPUR, ASSAM

2: ALLAL AHMED
S/O ABDUL RAHMAN
R/O VILL AND P.O.- BASHPARA P.S.- MISSAMARI
PIN-784506 DIST- SONITPUR ASSAM

3: MRINAL KANTI DHAR
S/O NRIPENDRA DHAR
R/O VILL AND P.O.- BASHPARA P.S.- MISSAMARI
PIN-784506 DIST- SONITPUR ASSAM

4: MAZIBAR RAHMAN
S/O HADIR RAHMAN
R/O VILL AND P.O.- BASHPARA P.S.- MISSAMARI
PIN-784506 DIST- SONITPUR ASSAM

5: RAJIB ALI
S/O ANAJ ALI
R/O VILL AND P.O.- BASHPARA P.S.- MISSAMARI
PIN-784506 DIST- SONITPUR ASSAM

VERSUS

1.THE STATE OF ASSAM AND 4 ORS.
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT
OF ASSAM, PUBLIC WORKS DEPARTMENT,
DISPUR, GUWAHATI-781006, ASSAM

2:THE CHIEF ENGINEER ASSAM PWD (ROADS)
CHANDMARI GUWAHATI-781003 ASSAM

3:THE EXECUTIVE ENGINEER PWD (ROADS)
SONITPUR ROAD DIVISION TEZPUR
DIST- SONITPUR ASSAM PIN-784001

4:THE DISTRICT COMMISSIONER SONITPUR
TEZPUR DIST- SONITPUR ASSAM PIN-784001

5:THE CIRCLE OFFICER
THELAMARA REVENUE CIRCLE
VILL AND P.O.- THELAMARA PIN-784149
DIST- SONITPUR ASSAM

For the Petitioner(s) : Mr. S.C. Biswas, Advocate.

For the Respondent(s) : Mr. P. Nayak, Additional Advocate General, Assam for
respondent Nos.1, 2 & 3.

: Ms. R.B. Bora, Junior Government Advocate, Assam for
respondent No.4..

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

17.10.2025

(Ashutosh Kumar, CJ)

This Public Interest Litigation has been filed by the residents of Bashbera village in the District of Sonitpur, who are primarily farmers and businessmen.

According to them, about 5,000 individuals are adversely affected because of there being no culvert on the Kolakuchi-Garjuli P.W.D. Road. A wooden culvert existed at the place but under the "Assam Mala" Project for road widening/elevation, the existing culvert was dismantled.

A new culvert is needed at that site for providing passage to the rain water accumulation for preventing flooding of the village. Every monsoon season, because of the artificial flooding, the passage to the

villages remain obstructed.

A Public Interest Litigation [PIL No.61/2023] was earlier filed by the petitioners showing the afore-noted concern.

In the afore-noted PIL, a Division Bench of this Court, on 29.09.2023, held that the prayer made by the petitioners was very justified and they were given liberty to present a copy of the order to the District Commissioner, Sonitpur, Tezpur, who was in turn directed to objectively consider and dispose of the pending representation of the petitioners by a speaking order within a period of 4(four) weeks from the date of submission of the copy of the order.

The contention of the petitioners is that till date, nothing has been done except for a couple of communications between the officers.

Mr. P. Nayak, learned Additional Advocate General, Assam is directed to seek instructions in the matter and find out the feasibility of constructing RCC culvert in the afore-noted location.

He shall report to this Court on the next date about the decision taken in that regard.

Let this case come up for consideration on 05.01.2026.

JUDGE

CHIEF JUSTICE

Comparing Assistant