

GAHC010212362024



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

Case No. : WP(C)/5451/2024

MATIUR RAHMAN
S/O JALAL UDDIN SK, VILL- RAMRAIKUTI PT-II, P.O.- SATRSAL, P.S.-
AGOMANI, DIST- DHUBRI, ASSAM, PIN-783335

2: THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI-3

VERSUS

THE UNION OF INDIA AND 21 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF RURAL
DEVELOPMENT, NEW DELHI-110001

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
ASSAM
DISPUR
GUWAHATI-06

3:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI-37

4:THE DEPUTY COMMISSIONER -CUM- DISTRICT PROGRAMME CO-
ORDINATOR (DPC)
DHUBRI

P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

5:THE CHIEF EXECUTIVE OFFICER
DHUBRI ZILLA PARISHAD
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

6:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AGENCY (DRDA)
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

7:THE BLOCK DEVELOPMENT OFFICER
BIRSING JARUA DEVELOPMENT BLOCK
DHUBRI
P.O.- DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

8:THE ASSISTANT EXECUTIVE ENGINEER
BIRSING JARUA DEV. BLOCK
DHUBRI
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

9:THE ACCREDITED ENGINEER
CHALAKURA GAON PANCHAYAT
P.O.-CHALAKURA
DIST- DHUBRI
ASSAM
PIN-783325

10:THE ACCREDITED ENGINEER
GOSSAIDUBI TINDUBI GAON PANCHAYAT
P.O.-FAKIRGANJ
DIST-DHUBRI

ASSAM
PIN-783330

11:THE ACCREDITED ENGINEER
JARUARCHAR GAON PANCHAYAT
P.O.-JARUARCHAR
DIST- DHUBRI
ASSAM
PIN-783339

12:THE ACCREDITED ENGINEER
MAJERCHAR CHALAKURA GAON PANCHAYAT
P.O.-MAJERCHAR
DIST- DHUBRI
ASSAM
PIN-783325

13:THE ACCREDITED ENGINEER
MUTHAKHOWA GAON PANCHAYAT
P.O.-MUTHAKHOWA
DIST- DHUBRI
ASSAM
PIN-783323

14:THE ACCREDITED ENGINEER
PORARCHAR GAON PANCHAYAT
P.O.-PORARCHAR
DIST-DHUBRI
ASSAM
PIN-783127

15:THE ACCREDITED ENGINEER
FULKAKATA GAON PANCHAYAT
P.O.-FULKAKATA
DIST- DHUBRI
ASSAM
PIN-783337

16:THE SECRETARY OF CHALAKURA GAON PANCHAYAT
P.O.-CHALAKURA
DIST- DHUBRI
ASSAM
PIN-783325

17:THE SECRETARY OF GOSSAIDUBI TINDUBI GAON PANCHAYAT
P.O.-FAKIRGANJ
DIST-DHUBRI
ASSAM

PIN-783330

18:THE SECRETARY OF JARUARCHAR GAON PANCHAYAT
P.O.-JARUARCHAR
DIST- DHUBRI
ASSAM
PIN-783339

19:THE SECRETARY OF MAJERCHAR CHALAKURA GAON PANCHAYAT
P.O.-MAJERCHAR
DIST- DHUBRI
ASSAM
PIN-783325

20:THE SECRETARY OF MUTHAKHOWA GAON PANCHAYAT
P.O.-MUTHAKHOWA
DIST- DHUBRI
ASSAM
PIN-783323

21:THE SECRETARY OF PORARCHAR GAON PANCHAYAT
P.O.-PORARCHAR
DIST-DHUBRI
ASSAM
PIN-783127

22:THE SECRETARY OF FULKAKATA GAON PANCHAYAT
P.O.-FULKAKATA
DIST- DHUBRI
ASSAM
PIN-78333

Advocate for the Petitioner : MR. M R KHANDAKAR, MR. A ROHMAN

Advocate for the Respondent : DY.S.G.I., GA, ASSAM,SC, P AND R.D.

Linked Case : WP(C)/4736/2024

UTTAM KR SAHA
S/O- LT. MAHENDRA MOHAN SAHA

R/O- H.N. ROAD
DHUBRI

WARD NO. 7

P.O. AND P.S.- DHUBRI

DISTRICT- DHUBRI
ASSAM.
PIN- 783301.

VERSUS

THE UNION OF INDIA AND 11 ORS
REPRESENTED BY THE SECRETARY

MINISTRY OF RURAL DEVELOPMENT

NEW DELHI- 110001.

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM

PANCHAYAT AND RURAL DEVELOPMENT DEPTT.

DISPUR
GUWAHATI- 06.

3:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI-37.

4:THE DEPUTY COMMISSIONER-CUM-DISTRICT PROGRAMME CO-
ORDINATOR
MGNREGA
DHUBRI
P.O- DHUBRI
DIST.- DHUBRI

ASSAM
PIN- 783301.

5:THE CHIEF EXECUTIVE OFFICER
DHUBRI ZILLA PARISHAD
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI

ASSAM
PIN- 783301.

6:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AGENCY (DRDA)
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI

ASSAM
PIN- 783301.

7:THE BLOCK DEVELOPMENT OFFICER (BDO)
BIRSING JARUA DEVELOPMENT BLOCK
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI

ASSAM
PIN- 783301.

8:THE ASSISTANT EXECUTIVE ENGINEER
BIRSING-JARUA DEV. BLOCK
DHUBRI
P.O.- DHUBRI
DST.- DHUBRI

ASSAM
PIN- 783301.

9:THE ACCREDITED ENGINEER
MUTHAKHOWA GAON PANCHAYAT
P.O.- MUTHAKHOWA

DIST.- DHUBRI
ASSAM

PIN- 783323.

10:THE ACCREDITED ENGINEER
NILOKHIA GAON PANCHAYAT
P.O.- NILOKHIA
DIST.- DHUBRI

ASSAM
PIN- 783128.

11:THE SECRETARY OF MUTHAKHOWA GAON PANCHAYAT
VILL.- MUTHAKHOWA
DIST.- DHUBRI

ASSAM
PIN- 783323.

12:THE SECRETARY OF NILOKHIA GAON PANCHAYAT
VILL.- NILOKHIA
P.O.- NILOKHIA

DIST.- DHUBRI
ASSAM

PIN- 783128.

Advocate for : MR. T J MAHANTA
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 11 ORS

Linked Case : WP(C)/5434/2024

MOZAFFOR HUSSAIN
S/O LT. SONA ULLAH SK
VILL- KATDANGA
P.O.-MOHURIRCHAR
P.S.- SOUTH SALMARA
DIST- DHUBRI
ASSAM
PIN-783128

VERSUS

THE UNION OF INDIA AND 17 ORS
REPRESENTED BY THE SECRETARY
MINISTRY OF RURAL DEVELOPMENT
NEW DELHI-110001

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
ASSAM
DISPUR
GUWAHATI-06

3:THE COMMISSIONER

PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI-37

4:THE DEPUTY COMMISSIONER -CUM- DISTRICT PROGRAMME CO-
ORDINATOR (DPC)
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

5:THE CHIEF EXECUTIVE OFFICER
DHUBRI ZILLA PARISHAD
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

6:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AGENCY (DRDA)
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

7:THE BLOCK DEVELOPMENT OFFICER
BIRSING JARUA DEVELOPMENT BLOCK
DHUBRI
P.O.- DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

8:THE ASSISTANT EXECUTIVE ENGINEER
BIRSING JARUA DEV. BLOCK
DHUBRI
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

9:THE ACCREDITED ENGINEER
BAHIR SALMARA GAON PANCHAYAT

P.O.-CHOUDHURIRCHAR
DIST- DHUBRI
ASSAM
PIN-783349

10:THE ACCREDITED ENGINEER
CHALAKURA GAON PANCHAYAT
P.O.-CHALAKURA
DIST- DHUBRI
ASSAM
PIN-783330

11:THE ACCREDITED ENGINEER
FULKAKATA GAON PANCHAYAT
P.O.-FULKAKATA
DIST- DHUBRI
ASSAM
PIN-783323

12:THE ACCREDITED ENGINEER
MOHURIRCHAR GAON PANCHAYAT
P.O.-MOHURIRCHAR
DIST- DHUBRI
ASSAM
PIN-783128

13:THE ACCREDITED ENGINEER
BOYZERALGA GAON PANCHAYAT
P.O.-BONDIHANA
DIST- DHUBRI
ASSAM
PIN-783349

14:THE SECRETARY OF BAHIR SALMARA GAON PANCHAYAT
P.O.-CHOUDHURIRCHAR
DIST- DHUBRI
ASSAM
PIN-783349

15:THE SECRETARY OF CHALAKURA GAON PANCHAYAT
P.O.-CHALAKURA
DIST- DHUBRI
ASSAM
PIN-783330

16:THE SECRETARY OF FULKAKATA GAON PANCHAYAT
P.O.-FULKAKATA
DIST- DHUBRI

ASSAM
PIN-783323

17:THE SECRETARY OF MOHURIRCHAR GAON PANCHAYAT
P.O.-MOHURIRCHAR
DIST- DHUBRI
ASSAM
PIN-783128

18:THE SECRETARY OF BOYZERALGA GAON PANCHAYAT
P.O.-BANDIHANA
DIST- DHUBRI
ASSAM
PIN-783349

Advocate for : MR. M R KHANDAKAR
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 17 ORS

Linked Case : WP(C)/5406/2024

SANTOSH KR HARLALKA
S/O- RAMSWARUP HARLALKA

R/O- R.K. BOSE ROAD
DHUBRI

WARD NO.- 05

P.O. AND P.S.- DHUBRI

DISTRICT- DHUBRI
ASSAM

PIN- 783301.

VERSUS

THE UNION OF INDIA AND 19 ORS
REPRESENTED BY THE SECRETARY

MINISTRY OF RURAL DEVELOPMENT

NEW DELHI- 110001.

2:THE STATE OF ASSAM

REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT

ASSAM
DISPUR
GUWAHATI-06.

3:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI- 37.

4:THE DEPUTY COMMISSIONER-CUM-DISTRICT PROGRAMME
COORDINATOR
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI
ASSAM

PIN- 783301.

5:THE CHIEF EXECUTIVE OFFICER
DHUBRI ZILLA PARISHAD
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI

ASSAM
PIN- 783301.

6:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AGENCY (DRDA)
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI
ASSAM

PIN- 783301.

7:THE BLOCK DEVELOPMENT OFFICER
BIRSING JARUA DEVELOPMENT BLOCK
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI
ASSAM

PIN- 783301.

8:THE ASSISTANT EXECUTIVE ENGINEER
BRISING-JARUA DEV. BLOCK
DHUBRI
P.O.- DHUBRI
DIST.- DHUBRI
ASSAM

PIN- 783301.

9:THE ACCREDITED ENGINEER
BANDIHANA GAON PANCHAYAT
P.O. BONDIHANA
DIST.- DHUBRI
ASSAM

PIN- 783348.

10:THE ACCREDITED ENGINEER
CHALAKURA GAON PANCHAYAT
P.O.- MAJERCHAR
DIST.- DHUBRI
ASSAM

PIN- 783325.

11:THE ACCREDITED ENGINEER
FULKAKATA GAON PANCHAYAT
P.O.- FULKAKATA
DIST.- DHUBRI
ASSAM

PIN- 783323.

12:THE ACCREDITED ENGINEER
FULKATARI GAON PANCHAYAT
P.O.- FULKATARI
DIST.- DHUBRI
ASSAM

PIN- 783339.

13:THE ACCREDITED ENGINEER
PADMERALGA GAON PANCHAYAT
P.O.- PADMERALGA
DIST.- DHUBRI

ASSAM

PIN- 783339.

14:THE SECRETARY OF BANDIHANA GAON PANCHAYAT

P.O.- BANDIHANA
DIST.- DHUBRI
ASSAM

PIN- PIN- 783349.

15:THE SECRETARY OF BOYZERALGA GAON PANCHAYAT

P.O.- BONDIHANA
DIST.- DHUBRI
ASSAM

PIN- 783349.

16:THE SECRETARY OF CHALAKURA GAON PANCHAYAT

P.O.- MAJERCHAR
DIST.- DHUBRI
ASSAM

PIN- 783325.

17:THE SECRETARY OF FULKAKATA GAON PANCHAYAT

P.O.- FULKAKATA
DIST.- DHUBRI
ASSAM

PIN- 783323.

18:THE SECRETARY OF PADMERALGA GAON PANCHAYAT

P.O.- PADMERALGA
DIST.- DHUBRI
ASSAM

PIN- 783339.

19:THE SECRETRAY OF FULKATARI GAON PANCHAYAT

P.O.- FULKATARI
DIST.- DHUBRI
ASSAM

PIN- 783339.

20:THE SECRETARY OF MUTHAKHOWA GAON PANCHAYAT

P.O.- MUKTHAKHOWA
DIST.- DHUBRI
ASSAM

PIN- 783323.

Advocate for : MR. M R KHANDAKAR
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 19 ORS

Linked Case : WP(C)/5431/2024

ROHIT KR TULSHYAN
S/O PAWAN KUMAR AGARWALA
R/O H.N ROAD
DHUBRI
WARD NO. 7
P.O. AND P.S.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

VERSUS

THE UNION OF INDIA AND 12 ORS
REPRESENTED BY THE SECRETARY
MINISTRY OF RURAL DEVELOPMENT
NEW DELHI-110001

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
ASSAM
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GUWAHATI-06

3:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI-37

4:THE DEPUTY COMMISSIONER -CUM- DISTRICT PROGRAMME CO-
ORDINATOR (DPC)
DHUBRI

P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

5:THE CHIEF EXECUTIVE OFFICER
DHUBRI ZILLA PARISHAD
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

6:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AGENCY (DRDA)
DHUBRI
P.O.-DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

7:THE BLOCK DEVELOPMENT OFFICER
BIRSING JARUA DEVELOPMENT BLOCK
DHUBRI
P.O.- DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

8:THE ASSISTANT EXECUTIVE ENGINEER
BIRSING JARUA DEV. BLOCK
DHUBRI
P.O.-DHUBRI
DIST-DHUBRI
ASSAM
PIN-783301

9:THE ACCREDITED ENGINEER
BIRSING GAON PANCHAYAT
P.O.-FAKIRGANJ
DIST- DHUBRI
ASSAM
PIN-783330

10:THE ACCREDITED ENGINEER
MAJERCHAR CHALAKURA GAON PANCHAYAT
P.O.-MAJERCHAR
DIST- DHUBRI

ASSAM
PIN-783325

11:THE SECRETARY OF BIRSING GAON PANCHAYAT
P.O.- FAKIRGANJ
DIST- DHUBRI
ASSAM
PIN-783330

12:THE SECRETARY OF MAJERCHAR CHALAKURA GAON PANCHAYAT
P.O.-MAJERCHAR
DIST- DHUBRI
ASSAM
PIN-783325

13:THE SECRETARY OF FULKAKATA GAON PANCHAYAT
P.O.-FULKAKATA
DIST- DHUBRI
ASSAM
PIN-783331

Advocate for : MR. M R KHANDAKAR
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 12 ORS

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

30.01.2026

Heard Shri T. J. Mahanta, learned Senior Counsel assisted by Shri M. R. Khandakar, learned counsel for the petitioners. Also heard Ms. N. Bora, learned Standing Counsel, P&RD, who has informed that insofar as WP(C)/4736/2024 is concerned, the Department has filed the affidavit-in-opposition which would cover the other cases also.

Shri Mahanta, the learned Senior Counsel has submitted that rejoinder affidavit has been filed on 29.08.2025. He has also submitted that the Department is required to clarify their position with regard to the works *vis-à-vis* the scheme in question.

Ms. Bora, the learned Standing Counsel has placed before this Court written

instructions and has prayed for some time to file a further affidavit.

List on **19.02.2026**, by which date, the additional affidavit is required to be filed.

Shri A. K. Dutta, learned CGC is present.

JUDGE

Comparing Assistant