

GAHC010241502025



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

Case No. : WP(C)/6372/2025

CAPOL AND 2 ORS.
(CACHAR MODEL DUCK -CUM- POULTRY PROJECT, BREEDING,
MARKETING AND PROCESSING DEVELOPMENT CO-OPERATIVE LTD),
CACHAR, SILCHAR, REPRESENTED BY ITS MANAGING DIRECTOR,
FARMAN ALI BARBHUIYAN

2: FARMAN ALI BARBHUIYAN
S/O LATE HAZI NUR ALI BARBHUIYAN
R/O VILL- BIDRUHIPAR
P.O.- HALIKHAL BAZAR
P.S.- KACHUDARAM
DIST- CACHAR
ASSAM
PIN-788116. MANAGING DIRECTOR
CAPOL (CACHAR MODEL DUCK -CUM- POULTRY PROJECT
BREEDING
MARKETING AND PROCESSING DEVELOPMENT CO-OPERATIVE LTD)
CACHAR
SILCHAR
DIST- CACHAR
ASSAM

3: ALPANA BEGUM LASKAR
D/O MAKABBIR ALI LASKAR
VILL- KAZIDAHAR PART-I
P.O.- KAZIDAHAR
P.S.- SONAI
PIN-788115
DIST- CACHAR
ASSAM. CHAIRPERSON
CAPOL (CACHAR MODEL DUCK -CUM- POULTRY PROJECT
BREEDING
MARKETING AND PROCESSING DEVELOPMENT CO-OPERATIVE LTD)
CACHAR

SILCHAR
DIST- CACHAR
ASSA

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT
DEPARTMENT, JANATA BHAWAN, DISPUR, GUWAHATI- 781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF FINANCE
ASSAM CIVIL SECRETARIAT
DISPUR
GUWAHATI-781006

3:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
PANJABARI
GUWHAATI-781037

4:THE JOINT COMMISSIONER
O/O THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-781037

5:THE FINANCIAL ADVISOR
O/O THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-781037

6:THE MISSION DIRECTOR
ASSAM STATE RURAL LIVELIHOODS MISSION SOCIETY
SIVA NATH GOGOI PATH
PANJABARI
NABAJYOTI NAGAR
GUWAHATI-781037

7:THE DISTRICT COMMISSIONER
CACHAR
AND CHAIRMAN
DRDA

CACHAR
SILCHAR
DIST- CACHAR
ASSAM
PIN-788001

8:THE PROJECT DIRECTOR
DISTRICT RURAL DEVELOPMENT AGENCY
SILCHAR
DIST- CACHAR
ASSAM
PIN-78800

For the Petitioner(s) : Mr. N.N. Upadhaya, Advocate

For the Respondent(s) : Ms. N. Bora, Standing Counsel
Mr. A. Chaliha, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 19.12.2025

It is seen that vide an order dated 10.12.2025, this Court granted a final opportunity to the P&RD Department to bring on record their stand by filing the affidavit. However, no affidavit has been filed and further 2 (two) weeks time has been sought for filing the said affidavit.

2. This Court duly takes note of that this is the second round of litigation and the petitioners herein are fighting for an amount of Rs. 8,39,251/- which is due to the petitioners since the year 1999.

3. The materials on record also suggest that the concerned authorities have also given due justification that the petitioners are entitled to the said amount, however, the Respondent Authorities have failed to released the same.

4. Under such circumstances, this Court fixes this matter for final disposal on 11.02.2026.

5. It is observed that if no affidavit-in-opposition is filed on or before 02.02.2026, it shall be presumed that the respondents herein do not want to contest the contents of the instant writ petition and accordingly, this Court shall applying the principles of the doctrine of non-traverse decide the instant proceedings on the basis of the materials on record.

JUDGE

Comparing Assistant