

GAHC010244412022



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

Case No. : WP(C)/7703/2022

AKBAR ALI
S/O. ASMAT ALI, R/O. VIL. JAHANA PATHAR, P.O. RAMAPARA, P.S.
BAGBOR, DIST. BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM AND 8 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, TRANSPORT
DEPTT., DISPUR, GUWAHATI-06.

2:THE SECRETARY
TO THE GOVT. OF ASSAM
TRANSPORT DEPTT.
DISPUR
GUWAHATI-06.

3:THE DIRECTOR

INLAND WATER TRANSPORT DEPTT.
ASSAM
ULUBARI
GUWAHATI-07.

4:THE EXECUTIVE ENGINEER

INLAND WATER TRANSPORT
DIVISION GUWAHATI
ULUBARI
GUWAHATI-07.

5:THE DEPUTY COMMISSIONER

GOALPARA
DIST. GOALPARA
ASSAM
PIN-783101.

6:ABU SAYED MONDAL
S/O. LT. ABDUR RAHMAN MONDAL
VILL. ABRARBHITA
P.O. BALARBHITA
P.S. BAGUAN
DIST. GOALPARA
ASSAM
PIN-783129.

7:AFIYAL SHEIKH
S/O. MERAJ ALI
VILL. MAMUDPUR PT-II
P.O. DALGOMA
P.S. MATIA
DIST. GOALPARA
ASSAM
PIN-783125.

8:ANOWAR HUSSAIN
S/O. LT. ABDUL KAYUM
VILL. KARBALA
P.O. GOBINDAPUR
P.S. GOALPARA
DIST. GOALPARA
ASSAM
PIN-783101.

9:THE DEPARTMENTAL TENDER COMMITTEE
REP. BY ITS CHAIRMAN
I.E. DIRECTOR
INLAND WATER TRANSPORT DEPTT.
ASSAM
ULUBARI
GUWAHATI-07

Advocate for the Petitioner : MR. N BORAH

Advocate for the Respondent : GA, ASSAM

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

ORDER

02.12.2022

Heard Shri N Borah, learned counsel for the petitioner, who, by of this petition, has put to challenge an order dated 26.10.2022 issued by the Deputy Secretary to the Govt. of Assam, Transport Department whereby the settlement of Buduchar-Basantapur Ferry Service in the district of Kamrup (R) has been made with the respondent no. 6.

The petitioner contends that earlier WP(C)/6564/2022 was filed by him on the same subject matter when the stage was prior to issuance of the settlement order in which notice has been issued by this Court on 21.09.2022.

On the other hand, Ms. MD Bora, learned Standing Counsel, Transport Department submits that the second case is not maintainable, as both the cases are with the same cause of action.

This aspect of the matter would be taken into consideration at the admission stage.

Issue Notice, returnable by 4 weeks.

Ms. Bora, learned Standing Counsel accepts notice on behalf of the respondent nos. 1, 2, 3, 4 and 9 whereas Ms. S Sarma, learned State Counsel, Assam accepts notice on behalf of the respondent no. 5.

Extra copies of the writ petition along with its annexures be served on the aforesaid learned counsel for the respondents by Monday.

Steps for service of notice upon the respondent nos. 6, 7 and 8 be taken by registered post with A/D within 5 days.

List this case along with WP(C)/6564/2022.

JUDGE

Comparing Assistant