

GAHC010252662025



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

Case No. : WP(C)/6805/2025

JITU BHUYAN
S/O- LATE KINARAM BHUYAN, R/O- BHOLAGURI SATRA, P.O.-
PUBTHORIA, P.S.- KALIABOR, PIN- 782137, DIST.- NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
WATER RESOURCES DEPARTMENT, DISPUR, GUWAHATI-6

2:GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT (GENERAL) DEPARTMENT
DISPUR
GUWAHATI-6

3:DIST. COMMISSIONER
NAGAON
ASSAM
PIN- 782001

4:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
ASSAM
BASISTHA
GUWAHATI-29

5:THE SUPERINTENDENT ENGINEER
NAGAON WATER RESOURCE CIRCLE
NAGAON- 782003

6:THE EXECUTIVE ENGINEER
NAGAON

WATER RESOURCE DIVISION
NAGAON
PIN- 782003

7:THE ASSISTANT EXECUTIVE ENGINEER
NAGAON
WATER RESOURCES SUB-DIVISION
NAGAON
PIN- 782003
ASSA

For the Petitioner(s) : Ms. K. K. Choudhury, Advocate

For the Respondent(s) : Mr. J. Handique, SC, Revenue
: Ms. P. Chakraborty, SC, Water Resource
: Mr. K. Gogoi, Addl. Sr. GA, Assam

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 04.05.2026

The Petitioner herein has filed the instant writ petition claiming an amount of Rs.17,72,045/- as the dues to the Petitioner on the basis of certain works completed by the Petitioner.

2. The records reveal that this Court had issued notice on 03.12.2025. It is further seen that an affidavit-in-opposition has been filed by the Assistant Chief Engineer, Water Resource Department wherein it is mentioned that the work order in question which was issued to the Petitioner is of the value of Rs.17,72,045/- and the said work was duly executed by the

Petitioner under the State Disaster Response Fund.

3. It is also mentioned that the payment to the Petitioner could not be released by the Water Resource Department as the competent authority to make payment under the State Disaster Response Fund is the concerned District Commissioner, Nagaon.

4. From the above, it is absolutely clear that the Petitioner was issued a work order and the Petitioner has also completed the work to the due satisfaction of the Authorities concerned.

5. The records reveal that neither the District Commissioner nor the Revenue and Disaster Management Department who are the authority to make the payment have filed their affidavit-in-opposition.

6. Mr. J. Handique, the learned Standing counsel for the Revenue and Disaster Management Department submitted that that though the Petitioner's dues of Rs.17,72,045/- have been approved by the Water Resource Department, but the documents are to be corroborated by the District Commissioner, Nagaon and instructions from the District Commissioner, Nagaon is awaited. In that regard, a communication dated 03.05.2026 issued by the Under Secretary to the Government of Assam, Revenue & Disaster Management (DM) Department has been placed before this Court which is kept on record and marked

with the letter "X".

7. Mr. K. Gogoi, the learned Additional Senior Government Advocate who appears on behalf of the Respondent No.3 submitted that he would obtain instructions from the District Commissioner, Nagaon as to whether the corroborating documents have been furnished to the Revenue Department in the meantime.

8. List this matter again on 10.06.2026 for an update.

9. In the meantime, this Court directs the District Commissioner, Nagaon to send the necessary documents to the Revenue and Disaster Management Department if not sent already, so that the Revenue and Disaster Management Department could sanction the amount to which the Petitioner is entitled to.

10. This Court further directs the Respondent No.2 to take effective steps upon receipt of the corroborating materials from the District Commissioner, Nagaon to take effective steps for sanctioning of the said amount.

JUDGE

Comparing Assistant