

GAHC010271802024



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

Case No. : WP(C)/232/2025

ISLAM UDDIN
S/O LATE JAHUR ALI, R/O VILL- HARI NAGAR PT-II, P.O.-RAJARTILLA,
DIST-SRIBHUMI, ASSAM

VERSUS

THE UNION OF INDIA AND 8 ORS
REPRESENTED BY SECRETARY, MINISTRY OF JAL SHAKTI, GOVT. OF
INDIA, 4TH FLOOR, CGO COMPLEX, LODHI ROAD, NEW DELHI-110003

2:THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM
PUBLIC HEALTH ENGINEER DEPARTMENT
DISPUR
GUWAHATI-06

3:THE CHIEF ENGINEER (PHE)
WATER
ASSAM
HENGRABARI
GUWAHATI-36

4:THE DISTRICT COMMISSIONER
SRIBHUMI
P.O. AND DIST- SRIBHUMI
PIN-788710

5:THE DISTRICT MISSION DIRECTOR (JJM) CUM EXECUTIVE ENGINEER
PHE
SRIBHUMI DIVISION
AT SRIBHUMI
P.O. AND DIST- SRIBHUMI

PIN-788710

6:THE CHIEF EXECUTIVE OFFICER
SRIBHUMI ZILLA PARISHAD
P.O. AND DIST- SRIBHUMI
PIN-788710

7:THE BLOCK DEVELOPMENT OFFICER
BADARPUR DEVELOPMENT BLOCK
MAHAKAL
P.O.-BADARPUR
DIST- SRIBHUMI
PIN-788701

8:THE SECRETARY OF BUNDASHIL GAON PANCHAYAT
ALEKARGUL
BADARPUR
P.O.-ANGALAR BAZAR
DIST- SRIBHUMI
PIN-788806

9:THE WATER USER COMMITTEE
BADARPUR BAZAR PIPE WATER SUPPLY SCHEME
REPRESENTED BY ITS PRESIDENT
MONJUR AHMED
S/O LATE ABDUR RAHMAN
R/O VILL- KHADIMAN
P.O.-BADARPURGAHT
DIST- SRIBHUMI
ASSAM
PIN-78880

Advocate for the Petitioner : MR. M KHAN, MS J AKTAR,MR A K DAS

Advocate for the Respondent : DY.S.G.I., SC, P H E,GA, ASSAM

B E F O R E
HON'BLE MR. JUSTICE NELSON SAILO

10.02.2025

Heard Mr. A K Das, learned counsel for the petitioner, who submits that the grievance of the petitioner is that he is working as Jal Mitra in Badarpur Bazar

PWSS and he has not been paid his remuneration after the month of August, 2023. On 22.01.2023 when the matter was listed, learned Standing Counsel, PHED was asked to obtain instructions in the matter. Today, Mr. I Borthakur, learned Standing Counsel, PHE Department submits that since the petitioner has been appointed by the Water User Permitting, the PHED has nothing to do with the payment of the remuneration with the petitioner. It is however seen that the Sectional Officer, PHED is one of the signatory in the engagement letter of the petitioner at Annexure-1.

Be that as it may, let notice of motion be issued, returnable by 4 (four) weeks. Since Mr. I Borthakur, learned Standing Counsel, PHE Department accepts notice on behalf of respondent Nos. 2, 3 & 5. No formal notice is required. Ms. U Sharma, learned Government Advocate accepts notice on behalf of respondent Nos. 4 & 7. Ms. A Gayan, learned CGC accepts notice on behalf of respondent No. 1. Petitioner to serve requisite extra copies of the writ petition to all the learned counsels appearing for the respondents today. Petitioner shall also take steps for service of notice upon the respondent Nos. 8 & 9 by registered post with A/D due within 3 (three) days.

List the matter again after 4 (four) weeks.

JUDGE

Comparing Assistant