

GAHC010129712013



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

Case No. : WP(C)/2194/2013

SAMAN UDDIN LASKAR and 4 ORS
S/O LATE MONIR UDDIN LASAKAR, OF VILL. and P.O. NAGDIR GRAM,
DIST- CACHAR, ASSAM

2: ATAUR RAHMAN LASKAR
S/O LATE ARZAN ALI LASKAR
VILL. and P.O. NORTH NARAINPUR
DIST- HAILAKANDI
ASSAM

3: NOOR ALI LASKAR
S/O LATE HABIB ALI LASKAR
VILL. BAKRIHAWAR
P.O. NORTH NARAINPUR
DIST- HAILAKANDI
ASSAM

4: ASHIK UDDIN BARBHUIYA
S/O LATE LADOMIYA BARBHUIYA
OF VILL. UZANGRAM
P.O. ARUNACHAL
DIST- CACHAR
ASSAM

5: JAHUR UDDIN BARBHUIYA
S/O LATE JABAR ALI BARBHUIYA
VILL. NORTH NARAINPUR-I
P.O. NORTH NARAINPUR
DIST- HAILAKANDI
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, TRANSPORT IWT, DEPARTMENT, DISPUR, GHY-6

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GHY-6

3:THE DIRECTOR
INLAND WATER TRANSPORT
ASSAM
ULUBARI
GHY-7

4:THE EXECUTIVE ENGINEER
INLAND WATER TRANSPORT DIVISION
MELA ROAD
MALUGRAM
SILCHAR-2
DIST- CACHAR
ASSAM

5:THE TREASURY OFFICER
SILCHAR
P.O. SILCHAR
DIST- CACHAR
ASSA

Advocate for the Petitioner : MRH I CHOUDHURY, MS L HMAR,MR K KASHYAB,MR. M R CHOUDHURY,MR. K KALITA,MR. B BORAH,MR. I H SAIKIA,MS L HMAR,MR. B BORAH,MR. I H SAIKIA,MR K KASHYAB,MR. K KALITA,MR. M DUTTA (AMICUS CURIAE),MRK UDDIN,DR.B AHMED,MR.S R BARBHUIYA,MR.N HOQUE,MR.S K DEORI,MR A R BHUYAN,MR. M A I HUSSAIN,MR. B U LASKAR,MR. H I CHOUDHURY

Advocate for the Respondent : MR. M R CHOUDHURY, SC, FINANCE,,,SC, IWT,

Linked Case : Cont.Cas(C)/714/2024

SAMAN UDDIN LASKAR AND 4 ORS
S/O LATE MONIR UDDIN LASKAR
R/O VILL AND P.O.-NAGDIR GRAM
DIST- CACHAR
ASSAM

PIN-788121

2: ATARUR RAHMAN LASKAR
S/O LATE ARZAN ALI LASKAR
R/O VILL AND P.O.- NORTH NARAINPUR
DIST- HAILAKANDI
ASSAM
PIN-788801

3: NOOR ALI LASKAR
S/O LATE HABIB ALI LASKAR
R/O VILL- BAKRIHAWAR
P.O.- NORTH NARAIANPUR
DIST- HAILAKANDI
ASSAM
PIN-788801

4: ASHIK UDDIN BARBHUIYA
S/O LATE LADOMIYA BARBHUIYA
R/O VILL- UZANGRAM
P.O.- ARUNACHAL
DIST- CACHAR
ASSAM
PIN-788025

5: JAHUR UDDIN BARBHUIYA
S/O LATE JABAR ALI BARBHUIYA
R/O VILL- NORTH NARAINPUR-I
P.O.-NORTH NARAINPUR
DIST- HAILAKANDI
ASSAM
PIN-788801
VERSUS

ASHUTOSH AGNIHOTIRI
IAS AND 4 ORS
THE COMMISSIONER AND SECRETARY OF THE GOVT. OF ASSAM
TRANSPORT (IWT) DEPARTMENT
DISPUR
GUWAHATI-6

2: JAYANT NARLIKAR
IAS
THE COMMISSIONER AND SECRETARY OF THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

3:MS. SUSHMITA KAKATI
ACS
THE DIRECTOR
INLAND WATER TRANSPORT
ASSAM
ULUBARI
GUWAHATI-7

4:MS. RAJASHRI BORAH
THE EXECUTIVE ENGINEER
INLAND WATER TRANSPORT DIVISION
MELA ROAD
MALUGRAM
SILCHAR-2
DIST- CACHAR
ASSAM
PIN-788001

5:SAMIM AKHTAR
THE TREASURY OFFICER
SILCHAR
P.O.-SILCHAR
DIST- CACHAR
ASSAM
PIN-788001

Advocate for : MR. I H SAIKIA
Advocate for : MS. M D BORAH(R-3) appearing for ASHUTOSH AGNIHOTIRI
IAS AND 4 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

17.12.2025

Heard Mr. I.H. Saikia, learned Senior counsel assisted by Mr. K. Kalita, learned counsel for the petitioner. Also heard Mr. P Nayak, learned Addl. Advocate General, Assam and Ms. D Bora, learned Standing Counsel, Inland Water Transport Division.

During the course of the hearing it is submitted by the learned Government

Counsel that the order by which the petitioners were shown to be regularized vide order dated 21.10.2005 had subsequently been cancelled by the Government. However, although the averment to that effect is reflected in the affidavits filed in connected proceedings which has already been closed and no affidavit having been filed here.

We permit the respondent authorities to produce copy of that order before the Court in order to enable the Court to pass consequential orders.

List on 30.01.2026.

JUDGE

Comparing Assistant