

GAHC010272712024



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

Case No. : 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-78880

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-78800

Advocate for the Petitioner : MR. I H SAIKIA, MR K KASHYAB,MR. K KALITA,MR. B BORAH

Advocate for the Respondent : MS. M D BORAH(R-3), R M BAROOAH,MR P NAYAK(R-2),MR. B GOGOI(R-2),MR A CHALIHA (R-2),MR R B GOSWAMI(R-3)

Linked Case : 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
ASSAM
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
ASSAM

Advocate for : MRH I CHOUDHURY
Advocate for : MR. M R CHOUDHURY appearing for THE STATE OF ASSAM AND
4 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

21.05.2025

Mr. I.H. Saikia, learned counsel appears for the petitioner.

Mr. P. Nayak, learned Addl. Advocate General appears for the respondent Nos. 2 and 5, Ms. M.D. Borah, learned counsel appears for the respondent No.3 and Mr. R. Borpujari, learned Standing Counsel appears for the Finance Department in WP(C) No. 2194/2013.

After hearing the learned counsel for the petitioner at some length, on a

pointed query made by the Court as to why the present contempt petition is filed in the year 2024 for willful deliberate disobedience of the order passed in WP(C) No. 4759/2007 when the writ petition stood disposed of on 19.11.2007.

The learned counsel for the petitioner referring to the averments made in paragraph 5 of the contempt petition submits that the contempt petition was initially filed for alleging willful disobedience of the order dated 19.11.2007 passed in WP(C) No. 4759/2007 being Cont.Cas(C) No.31 of 2008. It is further stated in paragraphs that the said contempt petition was closed as the matter was stated to have been adjudicated by the Hon'ble Division Bench in Writ Appeal No. 45/2014. However, the copy of order disposing of the Cont.Cas(C) No. 31/2008 is not enclosed with the present contempt petition.

The learned counsel for the petitioner is permitted to produce the copy of this order by the next date fixed.

Matter be listed on 30.05.2025.

JUDGE

Comparing Assistant