

GAHC010274352025



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

Case No. : WP(C)/7175/2025

DULAL PUZARI
S/O- LATE NOGEN PUJARI, R/O.- VILL- MOHMAIKI GAON, JYOTIPUR, P.O.
AND P.S. - BOKAKHAT, PIN- 785612, DIST- GOLAGHAT, ASSAM

VERSUS

UNION OF INDIA AND 6 ORS
MINISTRY OF JAL SHAKTI E- GOVERNANCE CELL, 6TH FLOOR CABIN,
SHRAM SHAKTI BHAWAN, RAFI MARG, NEW DELHI-110001.

2:BRAHMAPUTRA BOARD BASISTHA
GUWAHATI
ASSAM
PIN- 781029.

3:THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM
WATER RESOURCES DEPARTMENT
DISPUR
GUWAHATI-06.

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

5:THE SUPERINTENDENT ENGINEER
SIVASAGAR WATER RESOURCES CIRCLE
SIVASAGAR-785640.

6:THE EXECUTIVE ENGINEER

JORHAT WATER RESOURCES DIVISION
JORHAT
PIN- 785001.

7:THE ASSISTANT EXECUTIVE ENGINEER
W.R. SUB-DIVISION
BOKAKHAT
PIN- 785612

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

For the Respondent(s) : Ms. R. Deka, SC, Water Resource
: Ms. A. Gayan, CGC

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 08.05.2026

Heard Ms. K. K. Choudhury, the learned counsel appearing on behalf of the Petitioner and Ms. A. Gayan, the learned CGC appearing on behalf of the Respondent Nos. 1 and 2. I have also heard Ms. R. Deka, the learned Standing counsel appearing on behalf of the Respondent Nos. 3 to 7.

2. The Petitioner herein has filed the instant proceedings claiming an amount of Rs.3,26,829/- which is the balance payable in respect to three contract works, the details of which are available at Page No.15 of the writ petition.

3. The records reveal that an affidavit-in-opposition has been filed by the Respondent No.4 stating inter alia that out of the

total value of work of Rs.24,13,204/-, the Petitioner has already been paid an amount of Rs.20,86,375/-. However, on account of non-clearance from the Office of the Accountant General, the necessary demand could not be placed to the Respondent No.2 for releasing the balance payment.

4. The records further reveal that an affidavit-in-opposition has been filed on behalf of the Respondent Nos. 1 and 2 wherein it is categorically mentioned at paragraph No.8 that there has been an audit disallowance of Rs.19,55,000/- which was raised by the Accountant General (Audit), Assam. Accordingly, certain observations have been issued to the Water Resource Department of the Government of Assam on 26.08.2024 and 11.09.2025. However, there has been no reply received from the Water Resource Department and as such, the amount of Rs.19,55,000/- could not be sanctioned in respect to Scheme No.AS-92.

5. Ms. R. Deka, the learned Standing counsel appearing on behalf of the Water Resource Department submitted that she has received a copy of the affidavit-in-opposition filed by the Respondent Nos. 1 and 2 and would obtain instructions as to why the observations so made by the Respondent Nos. 1 and 2 as mentioned in the affidavit-in-opposition filed by the Respondent Nos. 1 and 2 have not yet been addressed by the

Water Resource Department.

6. Taking into account the above, list this matter again on 15.06.2026 for an update.

JUDGE

Comparing Assistant