

GAHC010286392025



undefined

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

**Case No. : WP(C)/527/2026**

FARUK AHMED CHOUDHURY  
S/O ABDULLA CHOUDHURY, VILL- P.O- NORTH NARAINPUR PART- II, DIST.  
HAILAKANDI, ASSAM.

VERSUS

THE UNION OF INDIA AND 6 ORS.  
REPRESENTED BY THE SECRETARY DEPARTMENT OF  
TELECOMMUNICATIONS, GOVT. OF INDIA, SANCHAR BHAWAN, 20,  
ASHOKA ROAD, NEW DELHI-110001.

2:THE BHARAT SANCHAR NIGAM LIMITED  
REPRESENTED BY THE PRINCIPAL GENERAL MANAGER GUWAHATI BA  
CORE NETWORK TX- NER  
7TH FLOOR  
BSNL BHAWAN PANBAZAR  
GUWAHATI- 01.

3:THE DEPUTY GENERAL MANAGER (PROJECT)  
CORE NETWORK TX NER  
6TH FLOOR  
BSNL BHAWAN PANBAZAR  
GUWAHATI- 01.

4:THE DIVISIONAL ENGINEER (TP)  
CORE NETWORK TRANSMISSION  
NORTH EAST REGION  
BSNL  
SILCHAR  
WIDEBAND BUILDING 1ST FLOOR  
DRDA ROAD  
SILCHAR- 788001.

5:THE DISTRICT COMMISSIONER  
CACHAR  
SILCHAR CUM NODAL OFFICER ROW  
P.O. DIST- CACHAR  
PIN-788001

6:THE STATE BANK OF INDIA

REPRESENTED BY BRANCH MANAGER  
SBI  
PARK ROAD  
SILCHAR  
P.O- SILCHAR  
DISTRICT CACHAR  
PIN- 788001.

7:NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT  
CORPORATION LTD

REPRESENTED BY THE GENERAL MANAGER T/P PMU- SILCHAR  
NHIDCL  
PESKAR LANE  
SONAI ROAD  
KANAKPUR PT-I  
.SILCHAR  
DISTRICT CACHAR  
PIN- 78800

**Advocate for the Petitioner** : MR. Y S MANNAN, MR A MALEK,MR F A LASKAR

**Advocate for the Respondent** : DY.S.G.I., SC, BSNL,SC, NHIDC,GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**Date : --06.02.2026**

Heard Mr. Y.S. Mannan, learned counsel for the petitioner; Mr. G. Bokolial, learned Junior Government Advocate for the respondent no. 5; and Ms. B.L. Singh, learned Standing Counsel, NHIDCL for the respondent no. 7.

2. The petitioner was awarded a contract work, Optical Fiber Cable construction work on

07.03.2024 after a bidding process. The Optical Fiber laying construction work was to be done underground in a stretch of 23 km between Silchar-Dargakona OFC route. The case of the petitioner is that after laying the underground Optical Fiber cables for a stretch, he had faced obstacles in the form of gas pipeline in portion of 23 km. In another portion, due to the National Highway, he could not lay the underground Optical Fiber cables. The matter was informed duly to the appropriate authorities. But the employer on 25.04.2025 had arbitrarily rescinded the contract by issuing a fresh NIT on 05.08.2025 in the remaining portion of the 23 km stretch. The further case of the petitioner is that when he was awarded the work order, the Optical Fiber cable was to be laid underground but, in the fresh NIT, the condition has been changed and now, the Optical Fiber cable is to be laid aerielly. Another grievance of the petitioner is that he has not been paid the amount for the works he had already completed.

3. Issue notice, returnable on 13.03.2026.

4. As Mr. Bokolial, learned Junior Government Advocate has appeared and accepted notice for the respondent no. 5; and Ms. Singh, learned Standing Counsel, NHIDCL has appeared and accepted notice for the respondent no. 7, formal notices need not be issued to the said respondents. The learned counsel for the petitioner shall furnish an extra copy of the writ petition along with the annexures each to Mr. Bokolial and Ms. Singh, within 2 [two] working days from today.

5. The learned counsel for the petitioner shall serve requisite nos. of copies of the writ petition along with annexures to the Deputy Solicitor General of India and learned Standing Counsel, BSNL for service of notice upon the respondent no. 1 and the respondent nos. 2, 3 & 4, respectively.

6. The petitioner shall take steps for service of notice upon the respondent no. 6 by speed post; within 3 [three] working days from today.

**JUDGE**

**Comparing Assistant**