

GAHC010289112025



undefined

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

Case No. : WP(C)/201/2026

M/S EMPIRE INFRA PROJECTS
REPRESENTED BY ITS PROPRIETOR YOUSUF AMANULLA CHOUDHURY,
AGED ABOUT 39 YEARS, S/O- A. Y. MD. MEHBUB CHOUDHURY, ADDRESS-
NEHARS RESIDENCY, 5TH FLOOR, HATIGAON CHARIALI, P.O. AND P.S.
HATIGAON, GUWAHATI- 38, DIST.- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SLP. COMMISSIONER AND SPL. SECRETARY ,
GOVT OF ASSAM, PUBLIC WORKS DEPARTMENT, ASSAM SECRETARIAT,
DISPUR, GUWAHATI- 6

2:THE CHIEF ENGINEER
PWD (HEALTH AND EDUCATION)
CHANDMARI
GUWAHATI -3

3:THE SUPERINTENDING ENGINEER
(H AND E)
PW (H AND E) DEPARTMENT
CHANDMARI
GUWAHATI- 3

4:THE EXECUTIVE ENGINEER
TB- IV (H AND E)
O/O- CHIEF ENGINEER
PWD (H AND E)
ASSAM
CHANDMARI
GUWAHATI- 3

5:THE EXECUTIVE ENGINEER
PWD
SILCHAR
UDHARBOND
SONAI AND DHOLAI (SC) TERRITORIAL BUILDING DIVISION
SILCHAR
CACHAR
PIN- 78800

For the Petitioner(s) : Mr. B. J. Ghosh, Advocate

For the Respondent(s) : Mr. B. Gogoi, Addl. AG, Assam

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 24.04.2026

Heard Mr. B. J. Ghosh, the learned counsel appearing on behalf of the Petitioner and Mr. B. Gogoi, learned Additional Advocate General, Assam who is also the Standing counsel of the PWD appearing on behalf of the Respondent Nos. 1 to 5.

2. Mr. B. J. Ghosh, the learned counsel appearing on behalf of the Petitioner submits that the Petitioner may be permitted to withdraw the instant writ petition. The learned counsel for the Petitioner further submits that the withdrawal of the instant writ petition should not affect the Petitioner's right to participate in respect to the detailed Notice Inviting Tender dated 18.12.2025 issued by the Chief Engineer, PWD, H&E, Assam for the balance work for construction of Model Secondary School in Tea Garden

Areas of Assam under RIDF-XXVIII at Arkatipur Tea Estate in the District of Cachar.

3. This Court enquired with the learned Additional Advocate General, Assam as to whether the last date for submission of the bid is over or not. The learned Additional Advocate General submitted that the last date of submission of the bid was 29.12.2025 which was further extended till 03.01.2026.

4. This Court further takes note of that the instant writ petition was filed on 23.12.2025 but on account of the winter recess, the matter was listed before this Court on 09.01.2026. Further to that, it is also seen that vide an order dated 09.01.2026, this Court directed that no further action be taken in pursuance to the impugned Tender Notice dated 18.12.2025.

5. Taking into account that the Petitioner wishes to withdraw the instant writ petition more particularly to the challenge to the Detailed Notice Inviting Tender dated 18.12.2025, this Court closes the instant writ petition on withdrawal.

6. This Court further observes and directs the Respondent Authorities to extend the period for submission of the bid by issuance of a corrigendum thereby extending the period for submission of the bid till 08.05.2026.

7. The Petitioner would be at liberty to submit its bid in

pursuance to the said Detailed Notice Inviting Tender dated 18.12.2025, if so advised.

8. Interim order passed on 09.01.2026 stands vacated.

JUDGE

Comparing Assistant