

GAHC010254162023



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

Case No. : I.A.(Civil)/3373/2023
In Cont Case(C) No. 531/2015

NIRMAL KUMAR AGARWALLA
S/O LT. GOVIND KUMAR AGARWALLA R/O NEAR MARIAN SCHOOL,
BARPETA ROAD, ASSAM, PIN- 781315.

VERSUS

RAJESH PRASAD and 6 ORS
I.A.S COMMISSIONER AND SECRETARY TO THE GOVT. IRRIGATION
DEPARTMENT, DISPUR, GUWAHATI-6.

2:ASSUT DAS
ADDITIONAL CHIEF ENGINEER
ZONE-I
IRRIGATION DEPARTMENT
DIST-BARPETA
ASSAM
PIN-781301

3:JAGAN BAISHYA
SUPERINTENDING ENGINEER
NORTH KAMRUP CIRCLE
IRRIGATION DEPARTMENT
DIST- NALBARI
ASSAM
PIN-781335

4:T. N. PATHAK
EXECUTIVE ENGINEER
BARPETA IRRIGATION DIVISION
SARBHOG
DIST-BARPETA

ASSAM
PIN-781301

5:DHARANI BHUYAN
EXECUTIVE ENGINEER
PATHSALA IRRIGATION DIVISION
PATHSALA
DIST-BARPETA
ASSAM
PIN-781325

6:SAMIR SINHA
IAS
PRINCIPAL SECRETARY
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06

7:K. M. GOPAL SANA RAJKUMAR
CHIEF ENGINEER
IRRIGATION DEPARTMENT
CHANDMARI
GUWAHATI
ASSA

Advocate for the Petitioner : MS.D DAS

Advocate for the Respondent : MR. N UPADHAYAY

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

19.02.2024

None appears for the applicant when the matter was called.

2. Mr N Upadhaya, learned counsel is present for the Irrigation Department.
3. This is an application filed by the applicant for impleadment of:-

1) Pabitra Ram Khound,
Commissioner and Secretary to the

Government of Assam, Irrigation Department,
Dispur, Guwahati-06.

2) Samir Sinha, IAS,
Principal Secretary,
Finance Department, Dispur,
Guwahati-06.

3) Sri K M Gopal Sana Rajkumar,
Chief Engineer,
Irrigation Department,
Chandmari, Guwahati, Assam.

3.1. It appears that the aforesaid three officers are the new incumbents to the concerned posts and hence, their presence is necessary for effective adjudication of the contempt petition.

4. In the interest of justice, this Court directs the impleadment of :-1) Pabitra Ram Khound, Commissioner and Secretary to the Government of Assam, Irrigation Department, Dispur, Guwahati-06, 2) Samir Sinha, IAS, Principal Secretary, Finance Department, Dispur, Guwahati-06, and 3) Sri K M Gopal Sana Rajkumar, Chief Engineer, Irrigation Department, Chandmari, Guwahati, Assam, as arrayed respondent Nos. 7, 8 and 9 in the Contempt Case.

5. With the aforesaid directions, this Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant