GAHC010039812026

2026:GAU-AS:15012

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

Case No. : WP(C)/1141/2026

HIMANGSHU GOGOI AND 2 ORS
S/O PRODIP GOGOI, R/O HATICHUNGI GAON, P.O. -RANGAJAN, P.S.- TITABAR, DIST.- JORHAT, ASSAM.

2: RAMESH SAIKIA
S/O CHAKIRAM SAIKIA
R/O WARD NO. 09
MILAN NAGAR
P.O- AND P.S- TITABAR
DISTRICT- JORHAT
ASSAM

3: TRIDIP GOGOI
S/O DIBAKAR GOGOI
R/O TURUNG GRANT ANCHAL
P.O- DEOGHARIA
P.S- TITABAR
DISTRICT- JORHAT
ASSA

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM DEPTT. OF HOUSING AND URBAN AFFAIRS, A -BLOCK FOURTH FLOOR, JANATA BHAWAN, DISPUR.

2:THE DIRECTOR
DIRECTORATE OF MUNICIPAL ADMINISTRATION
ASSAM
DISPUR
GUWAHATI-06

3:TITABAR MUNICIAPL BOARD

SANTIPUR PUBERUN PATH TITABAR
JORHAT
ASSAM
785630
ASSAM REPRESENTED HEREIN BY THE CHAIRPERSON
TITABAR MUNICIPAL BOARD.

4:THE CHAIRPERSON
TITABAR MUNICIPAL BOARD
SANTIPUR PUBERUN PATH
TITABAR
JORHAT
ASSAM
785630
ASSA

Advocate for the Petitioner : MR S BORTHAKUR, MR. U S BORA

Advocate for the Respondent : GA, ASSAM, MR D J BORO(R3,4),MR. J K GOSWAMI(R3,4)

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

07.10.2026

1. Heard Mr. S. Borthakur, learned counsel for the petitioner. Also heard Mr. J. K. Goswami, learned State counsel representing the State respondents.

2. The respondent No. 3, Titabor Municipal Board has published a Notice Inviting eTender (NIT) dated 05.02.2026 for a contract work, "Rejuvenation and Development of the water pond inside the Titabar Sub Division Civil Hospital Campus from 15th Finance Commission Tied Grant for the year: 2024-2025 during the year 2025-2026 under Titabar Municipal Board'. The total estimated cost of the contract work is fixed at Rs. 75.77 lakhs and the last date for submission of bids was 27.02.2026 up to 02-00 P.M.

3. This Court did not pass any interim order and therefore, the respondent

authorities proceeded with the NIT, awarded the contract and it is submitted by Mr. J. K. Goswami, learned State counsel that nearly, 80% of the work has already been completed.

4. In that view of the matter, this Court is of the opinion that the issue raised with regard to the validity and sustainability of the tender conditions shall remain only academic.

5. Accordingly, this writ petition stands closed being infructuous.

6. However, it is made clear that the issue raised as regards the challenge to the tender condition in question shall be kept open and may be considered in appropriate cases, if arises.

JUDGE

Comparing Assistant