GAHC010218372026

2026:GAU-AS:15118

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

Case No. : WP(C)/5478/2026

M/S U.A. ENTERPRISE
REPRESENTED BY ITS PROPRIETOR SRI UTPAL DEKA, AGED ABOUT 41 YEARS, BEARING AADHAAR NO. 3611 2448 6576, S/O SRI HARICHANDRA DEKA, RESIDENT OF CHANDANPUR GANESHPUR MUL PATH, NEAR CHANDANPUR NAMGHAR, BHAWANIPUR, NOONMATI, GUWAHATI, NOONMATI, P.O. NOONMATI, KAMRUP (M), ASSAM, PIN 781020.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE GOVERNMENT OF ASSAM, DEPARTMENT OF WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES, DISPUR, GUWAHATI- 781006.

2:DIRECTORATE OF WELFARE OF SCHEDULE CASTE AND BACKWARD CLASSES
(SC AND BC)
DISPUR
GUWAHATI-6

3:THE ASSAM MANAGING DIRECTOR STATE DEVELOPMENT CORPORATION FOR SCHEDULE CASTE LTD
SWAHID DILIP HUZURI PATH
DISPUR
GUWAHATI-06

Advocate for the petitioner(s): Mr. NJ Gogoi

Advocate for the respondent(s): Mr. R Dhar,
Standing Counsel, WPT & BC
Department

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

07.10.2026

Heard Mr. NJ Gogoi, the learned counsel appearing on behalf of the Petitioner. Also heard Mr. R Dhar, the learned Standing Counsel, WPT & BC Department who appears on behalf of respondent Nos.1, 2 and 3.

2. The present writ petition has been filed by the petitioner with the strangest of reliefs as can be conceptualized *inasmuch as*, a Notice Inviting Tender (for short, the NIT) was issued on 27.11.2025 for construction of a Mini Outdoor Stadium Biswanath High School at Biswanath Ghat wherein the petitioner was found to be technically non-responsive and thereupon, the tender was cancelled.

3. The petitioner by way of the instant writ petition has challenged the said cancellation on the ground that the said cancellation is without any reason.

4. It is the opinion of this Court that the very challenge to the cancellation not only is an abuse of the process of the Court, but also cast aspersions on the *bona fide* of the petitioner.

5. The learned counsel appearing on behalf of the petitioner though submitted that he would like to withdraw the writ petition, but it is the opinion of this Court that such abusive writ petition cannot be permitted to be filed and

withdrawn as per the wish of the petitioner.

6. Accordingly, this Court in view of the abuse of the process of the Court dismisses the instant writ petition and reprimands the writ petitioner for his conduct.

JUDGE

Comparing Assistant