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

Case No. : MC/70/2026

SIMA SHARMA AND ANR.
W O- LATE RINKU SHARMA, RESIDENT OF JONAKI NAGAR, P.O. AND P.S. GOLAGHAT, DIST. GOLAGHAT, PIN-785621, ASSAM

2: SRI ANSUMAN SHARMA
SO LATE RINKU SHARMA
REPRESENTED BY NATURAL GUARDIANSMTI. SIMA SHARMA I.E. MOTHER
RESIDENT OF JONAKI NAGAR
P.O. P.S. GOLAGHAT
DIST. GOLAGHAT
PIN-785621
ASSAM

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE GOVT. OF ASSAM, PUBLIC WORKS BUILDING NH DEPARTMENT, BLOCK-B, GROUND FLOOR, ASSAM SECRETARIAT, DISPUR, GUWAHATI-781006.

2:THE CHIEF ENGINEER
PWD
NH WORKS
CHANDMARI
GUWAHATI-781003. ASSAM

3:THE EXECUTIVE ENGINEER
PWD
GOLAGHAT NH DIVISION
DIST. GOLAGHAT
ASSAM
PIN-785621

4:THE DISTRICT COMMISSIONER
GOLAGHAT
DIST. GOLAGHAT
ASSAM
PIN-785621.

5:THE SUB-DIVISIONAL OFFICER CIVIL

DHANSIRI
SARUPATHER
DIST. GOLAGHAT
ASSAM
PIN-785601.

6:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
MAIDAMGAON
BELTOLA
GUWAHATI-781029.

7:SMTI BINA MONI DEVI

WIFE OF LATE RINKU SHARMA
R/O. VILLAGE NO. 1 GONDHAKOROI GAON
P.O. GOHAINGAON
P.S. SARUPATHAR
DIST. GOLAGHAT
ASSAM
PIN-78560

Advocate for the Petitioner : MR. A JAHID,

Advocate for the Respondent : SC, AG (A AND E), MR R ISLAM,SC, PWD,GA, ASSAM

Linked Case : WP(C)/581/2024

SIMA SHARMA AND ANR
W/O LATE RINKU SHARMA
R/O JONAKI NAGAR

P.O. AND P.S. GOLAGHAT
DIST. GOLAGHAT
ASSAM

PIN-785621

2: SRI ANSUMAN SHARMA
S/O LATE RINKU SHARMA
REPRESENTED BY THE NATURAL GUARDIAN SMTI. SIMA SHARMA I.E.
MOTHER
R/O JONAKI NAGAR

P.O. AND P.S. GOLAGHAT

DIST. GOLAGHAT
PIN-785621
ASSAM
VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
PUBLIC WORKS BUILDING AND NH DEPARTMENT
BLOCK-B
GROUND FLOOR

ASSAM SECRETARIAT

DISPUR
GUWAHATI-781006

2:THE CHIEF ENGINEER

PWD
(NH WORKS) CHANDMARI
ASSAM
GUWAHATI-781003

3:THE EXECUTIVE ENGINEER

PWD GOLAGHAT
NH DIVISION
DIST. GOLAGHAT
ASSAM
PIN-785621

4:THE DISTRICT COMMISSIONER

GOLAGHAT
DIST. GOLAGHAT
ASSAM
PIN-785621

5:THE SUB-DIVISIONAL OFFICER (CIVIL)
DHANSIRI
SARUPATHER

DIST. GOLAGHAT
ASSAM
PIN-785601

6:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
MAIDAMGAON
BELTOLA

GUWAHATI-781029

7:SMTI. BINA MONI DEVI
W/O LATE RINKU SHARMA
R/O VILL- NO. 1 GONDHAKOROI GAON
P.O. GOHAINGAON
P.S. SARUPATHAR
DIST. GOLAGHAT
ASSAM
PIN-785601

Advocate for : MR. ABU JAHID
Advocate for : SC
PWD (NH) appearing for THE STATE OF ASSAM AND 6 ORS

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 02.11.2026

Heard Mr. A. Jahid, learned Counsel for the petitioner and Mr. R. Dhar, learned Standing Counsel for PWD as well as Ms. M. Das, learned Counsel appearing on behalf of Mr. SK Medhi, learned Standing Counsel, Accountant General for respondent no.6.

2. By this application, the petitioner has prayed for restoration of the writ petition being WP(C) No. 581/2024 by recalling the order dated 07.10.2026 passed by this Court dismissing the case for non prosecution.

3. The learned Counsel for the petitioner submits that the said writ petition was listed on 07.10.2026 for admission hearing as Item No.12 in the daily cause list but he submits that he could not appear before the Court in connection with the case since he was on legs before another Court. He also submits that another Advocate was also engaged in the said matter but he was out of station for some genuine reasons. He thereafter submits that the matter was called and due to the absence of the Counsels representing the petitioner, the said writ petition was dismissed for default. He further submits that the petitioner has prima facie good case and that the applicants will suffer if the case is not restored to the file.

4. I have gone through the grounds narrated in the miscellaneous application and upon finding it satisfactory, allows the restoration of the said writ petition being WP(C) No. 581/2024 by setting aside the order dated 07.10.2026 passed by this Court.

5. The Registry is directed to list the writ petition i.e. WP(C) No. 581/2024 on a date to be fixed by the Registry.

6. Miscellaneous Case is disposed of.

JUDGE

Comparing Assistant