GAHC010240452026

2026:GAU-AS:16040

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

Case No. : Cont.Cas(C)/586/2026

MAINUDDIN
SON OF LATE ISAB ALI, VILLAGE- SILBHETA, P.O. AND P.S.- DHARAMTUL, DISTRICT- MORIGAON, ASSAM- 782412

VERSUS

BHASKAR JYOTI SARMA AND ANR
CHIEF ENGINEER, WATER RESOURCES DEPARTMENT, DISPUR, GUWAHATI- 06, DISTRICT- KAMRUP (METRO), ASSAM

2:LOCHAN KUMAR CHOUDHURY
EXECUTIVE ENGINEER
WATER RESOURCES DEPARTMENT
MORIGAON WATER RESOURCES DIVISION
P.O. AND DISTRICT- MORIGAON
ASSAM
PIN- 78210

For the Petitioner(s) : Mr. M. Sarma, Advocate

For the Respondent(s) : None appears

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 02.11.2026

Heard Mr. M. Sarma, the learned counsel for the petitioner.

2. This is an application alleging willful and deliberate violation of the order dated 19.02.2024 passed in WP(C) No. 630/2023 whereby all the respondents in the said writ petition were directed to pay the petitioner an amount of Rs. 15,69,002/- within a period of 5 months from the date of receipt of a certified copy of the said order.

3. It is relevant to take note of that pursuant to the directions passed in the order dated 19.02.2024, the petitioner communicated the same to the Executive Engineer on 22.02.2024. It is also seen that another communication was issued to the Chief Engineer, Water Resources Department on 27.02.2024, however, the said communication does not bear the seal of the office.

4. Be that as it may, the petitioner filed a contempt application which was registered and numbered as Contempt Case No. 562/2025 wherein all the respondents in the writ petition were arrayed as parties. Taking into account that the said proceedings were initiated without affording an opportunity to all the respondents to comply with the directions, this Court held that there could be no case of willful or deliberate violation of the order passed by this Court. Accordingly, this Court closed the said contempt application granting liberty to the petitioner to effect service of the certified copy of the order dated 19.02.2024

passed in WP(C) No. 630/2023 and thereafter approach this Court, if so necessary.

5. It is seen that subsequent thereto, service was again effected only upon respondent Nos. 1 and 2 herein on 24.08.2026 and 26.08.2026.

6. Taking into account the directions passed by the learned Coordinate Bench of this Court on 19.02.2024 in WP(C) No. 630/2023 whereby the admitted amount was directed to be paid within a period of 5 months from the date of receipt of the certified copy of the order and that the said period of 5 months has not yet elapsed from the date of fresh service of the certified copy of the order dated 19.02.2024, it is the opinion of this Court that the present contempt application is premature.

7. Accordingly, the present contempt application stands closed.

8. However, upon expiry of the period of 5 months, the petitioner would be at liberty to approach this Court again if the amount is not disbursed to the petitioner.

JUDGE

Comparing Assistant