

GAHC010132362020



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

Case No. : WP(C) 3753/2020

1: JAYANTA RAJKONWAR AND 12 ORS
S/O- LT. PURNANDA RAJKONWAR, R/O- VILL- NIMONAGAR, P.O.
NIMONAGAR, P.S. MATHURAPUR, DIST.-CHARAIDEO, ASSAM

2: AJIT KUMAR JAISWAL
S/O- LT. RAM NAGINA RAM JAISWAL
R/O- RAJAMAIDAM
P.O. AND P.S. JORHAT
DIST.- JORHAT
ASSAM

3: UTTAM KALITA
S/O- LT. MOHIRAM KALITA
VILL AND P.O. BAIRAGIMATH
PIN- 786001

4: MANJU SAIKIA
S/O- LT DEHIRAM SAIKIA
R/O- J.E.C.ROAD
NEAR GREEN PARK
GARMUR
P.O. AND P.S. JORHAT
DIST.- JORHAT
ASSAM

5: PORASHMONI BORAH
S/O- LT. BHOLARAM BORAH
R/O- VILL- DOYONGIA
P.O. DADHORA
DERGAON
P.S. DERGAON

DIST.- GOLAGHAT
ASSAM

6: IQBAL AHMED KHAN
S/O- SAHAB UDDIN AHMED
R/O- SICHAR
P.O. MODHURBOND
P.S. SILCHAR SADAR
DIST.- CACHAR
ASSAM

7: CHAMPALAL GOWALA
S/O- LT. DHANU DAYAL GOWALA
R/O- SILCHAR
P.O. NIT
SILCHAR-10
P.S. SILCHAR SADAR
DIST.- CACHAR
ASSAM

8: SANJIB ROY
S/O- LT. SASHANKA SEKHAR ROY
P.O. G.C.COLLEGE VIA MOLOVI ROAD
P.S. SILCHAR SADAR
DIST.- CACHAR
ASSAM

9: DILIP HAZARIKA
S/O- LT. MONIRAM HAZARIKA
R/O- VILL- DADHORA AHOM GAON
P.O. AND P.S. DADHORA
DIST.- GOLAGHAT
ASSAM

10: BISWAJIT DEY
S/O- LT. SAILENDRA KUMAR DEY
R/O- VILL AND P.O. PAILA POOL
P.S. LAKHIPUR
DIST.- CACHAR
ASSAM

11: PARAMBIR GOALA

S/O- SRI RAMBILASH GOALA
R/O- VILL AND P.O. PAILA POOL
P.S. LAKHIPUR
DIST.- CACHAR
ASSAM

12: ALAKESH BHUYAN
S/O- LT. JIBESWAR BHUYAN
R/O- VILL- BAMUNGAON
P.O. DIFHOLUSATRA VIA HOWAJAN
DIST.- BISWANATH
ASSAM

13: DIBAKAR PATOR
S/O- LT. NAVAB CH. PATROR
R/O- WARD NO. 07
RAHA
KAMARJAN
P.O. AND P.S. RAHA
DIST.- NAGAON
ASSA

VERSUS

1:ASSAM URBAN WATER SUPPLY AND SEWERAGE BOARD AND 2 ORS
REP. BY ITS MANAGING DIRECTOR, AMRITPUR PATH, GANESHGURI, GHY-
06

2:THE MANAGING DIRECTOR
ASSAM URBAN WATER SUPPLY AND SEWERAGE BOARD
AMRITPUR PATH
GANESHGURI
GHY-06

3:THE CHIEF ENGINEER
ASSAM URBAN WATER SUPPLY AND SEWERAGE BOARD
AMRITPUR PATH
GANESHGURI
GHY-0

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent : SC, GDD

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

ORDER

Date : 30-09-2020

Heard Mr. U.K. Nair, learned senior counsel for the petitioners as well as Mr. R. Das, learned standing counsel for the Assam Urban Water Supply and Sewerage Board.

2. By an order of 04.03.2020, the petitioners were transferred from their present place of posting to various other places under the respondents Assam Urban Water Supply and Sewerage Board. Due to the present Covid-19 pandemic situation, the order of transfer is stated to have not been given its effect.

3. By another order of 31.08.2020, all the petitioners were directed to comply with the order dated 04.03.2020 on or before 15.09.2020.

4. In the aforesaid situation, the present writ petition has been instituted and by the order dated 25.09.2020 a status-quo was ordered to be maintained till next date.

5. Mr. U.K. Nair, learned senior counsel states that the petitioners otherwise are all willing to comply with the order of transfer but would like to have some more time before such compliance as because they are all worried about the Covid-19 pandemic situation.

6. We are of the view that in order to entertain the said prayer, the authority in the respondents would be more appropriate to deal with the matter. Accordingly, we require the petitioners to submit a representation raising the said grievance before the Managing Director of Assam Urban Water Supply and Sewerage Board and upon such

representation being submitted, the Managing Director to pass a reasoned order. The representation be submitted within a period of 5(five) days from today irrespective of receipt of certified copy of the order and on the representation being submitted, the Managing Director shall pass a reasoned order within a period of 10(ten) days thereafter.

7. Till such reasoned order is passed by the Managing Director, the status-quo order passed earlier be maintained.

8. In the event, the representation is not submitted within a period of 5 (five) days, the interim protection shall no longer be in force.

9. Writ Petition disposed of in the above terms.

JUDGE

Comparing Assistant