

GAHC010001402021



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

Case No. : WP(C)/63/2021

ON THE DEATH OF SRI MADAN LAL AGARWAL, HIS LEGAL HEIRS
NAMELY

1.1) SMTI UMA DEVI AGARWAL,
AGED ABOUT 71 YEARS, WIFE OF LATE MADAN LAL AGARWAL, R/O
GAURISHAKAR BUILDING, G.N.B. ROAD, P.O. , P.S. AND DIST. TINSUKIA,
ASSAM, PIN 786125.

1.2: SRI MOHIT AGARWAL

SON OF LATE MADAN LAL AGARWAL
R/O GAURISHAKAR BUILDING
G.N.B. ROAD
P.O.
P.S. AND DIST. TINSUKIA
ASSAM
PIN 786125.

1.3: SRI SAURABH AGARWAL
SON OF LATE MADAN LAL AGARWAL
R/O GAURISHAKAR BUILDING
G.N.B. ROAD
P.O.
P.S. AND DIST. TINSUKIA
ASSAM
PIN 786125.

1.4: SMTI RITU KEJRIWAL

DAUGHTER OF LATE MADAN LAL AGARWAL
RESIDENT OF C/O MEHUL ASSOCIATES (INDIA)
RZ-84
MAIN DABRI PALAM ROAD
OPPOSITE MCD COMMUNITY HALL
NEW DELHI-110045.

1.5: SMTI RASHMI GARODIA

DAUGHTER OF LATE MADAN LAL AGARWAL
WIFE OF SANDEEP GARODIA
RESIDENT OF C/O GARODIA INDUSTRIES TOKRI GOLA
MAKUM ROAD TINSUKIA
P.O
P.S AND DISTRICT- TINSUKIA
ASSAM
PIN-786125.

1.6: SMTI RAKHI AGARWAL

DAUGHTER OF LATE MADAN LAL AGARWAL
WIFE OF RAMESH AGARWAL
RESIDENT OF VIVEKANANDA COLONY LAKHOTIA TOWER 2ND FLOOR
LILUAH
HOWRAH-711204.

1.7: SMTI MEHAK AGARWAL

DAUGHTER OF LATE MADAN LAL AGARWAL
WIFE OF ASHISH AGARWAL
RESIDENT OF C/O VISHAL TRADE LINKS
HOUSE NO. 97
2ND FLOOR NEAR DGP OFFICE
DR. B.K. KAKOTI ROAD
ULUBARI
GUWAHATI-781007

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY ITS SECY. TO THE GOVT. OF ASSAM, TOWN AND
COUNTRY PLANNING DEPTT., DISPUR, GUWAHATI 781006

2:THE DIRECTOR

MUNICIPAL ADMINISTRATION
ASSAM
DISPUR
GUWAHATI 781006

3:THE CHAIRMAN

TINSUKIA DEVELOPMENT AUTHORITY
P.O.

P.S. AND DIST. TINSUKIA
ASSAM
PIN 786125

4:THE EXECUTIVE OFFICER

TINSUKIA MUNICIPAL BOARD
P.O.
P.S. AND DIST. TINSUKIA
ASSAM
PIN 786125

5:PAHNI BHUSAN SHARMA
S/O LATE LALIT CHANDRA SHARMA
R/O CHALIHA NAGAR
C/O CHITRAKUT GAS AGENCY
R.K. MARKET
DEBI PUKHURI ROAD
TINSUKIA TOWN
P.O.
P.S. AND DIST. TINSUKIA
ASSAM
PIN 786125

6:MADAN MOHAN SHARMA
S/O LATE LALIT CHANDRA SHARMA
R/O CHALIHA NAGAR
C/O CHITRAKUT GAS AGENCY
R.K. MARKET
DEBI PUKHURI ROAD
TINSUKIA TOWN
P.O.
P.S. AND DIST. TINSUKIA
ASSAM
PIN 78612

For the Petitioner(s) : Mr. B. Dutta, Sr. Advocate
: Mr. S. Deka, Advocate

For the Respondent(s) : Mr. K. Gogoi, Government Advocate
: Mr. S. S. Roy, Standing Counsel
: Mr. B. Baruah, Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 20.02.2026

Heard Mr. B. Dutta, the learned Senior counsel assisted by Mr. S. Deka, the learned counsel appearing on behalf of the Petitioner and Mr. K. Gogoi, the learned Government Advocate appearing on behalf of the Respondent Nos. 1 and 2. I have also heard Mr. S. S. Roy, the learned Standing Counsel appearing on behalf of the Respondent Nos. 3 and 4 and Mr. B. Baruah, the learned counsel appearing on behalf of the Respondent Nos. 5 and 6.

2. Mr. B. Dutta, the learned Senior counsel on instructions submitted that the Petitioner would be well advised to withdraw the instant writ petition with a liberty to approach the Tinsukia Municipal Board against various violations committed by the Respondent Nos. 5 and 6 in going ahead with the constructions.

3. Taking into account the above, the instant writ petition stands closed on withdrawal.

4. It is however observed that the withdrawal of the instant writ petition shall not preclude or prejudice the Petitioner to approach the Tinsukia Municipal Board to file a representation, if so advised.

5. Interim order passed if any stands vacated.

JUDGE

Comparing Assistant