

GAHC010029992024



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

Case No. : I.A.(Civil)/425/2024

HABIL UDDIN KHAN,
S/O- LATE AKBAR KHAN, R/O- VILL- RAKHYASINI GAROPARA PT-1, P.O.
RAKHYASINI, P.S. MORNOI, GOALPARA, ASSAM, PIN- 783101.

VERSUS

THE DISTRICT COMMISSIONER, GOALPARA AND 4 ORS
GOALPARA, ASSAM

2:THE ADDITIONAL DISTRICT COMMISSIONER
GOALPARA
ASSAM

3:GOALPARA ZILA PARISHAD
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
GOALPARA
ASSAM
PIN- 783121.

4:THE CHIEF EXECUTIVE OFFICER

GOALPARA ZILLA PARISHAD
GOALPARA
ASSAM
PIN- 783121.

5:THE STATE OF ASSAM

REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI

ASSAM
PIN 781006

Advocate for the Petitioner : MR S BORTHAKUR

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/592/2024

HABIL UDDIN KHAN
S/O- LATE AKBAR KHAN
R/O- VILL- RAKHYASINI GAROPARA PT-1
P.O. RAKHYASINI
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Advocate for : MR S BORTHAKUR
Advocate for : GA
ASSAM appearing for THE DISTRICT COMMISSIONER

GOALPARA AND 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

16.02.2024

Heard Mr. H.K. Nepal, learned counsel for the applicant and Ms. M. Barman, learned Junior Government Advocate, Assam for the opposite party nos. 1 & 2.

2. The interlocutory application, I.A.[C] no. 425/2024 has been preferred by the applicant who has instituted the connected writ petition, W.P.[C] no. 592/2024 as the writ petitioner, seeking impleadment of the following authority as a party-respondent in the said writ petition :-

The State of Assam,
Represented by the Principal Secretary
to the Government of Assam,
Panchayat & Rural Development Department,
Dispur, Guwahati, Assam, PIN - 781006

3. It has been averred that due to an inadvertence, the applicant-writ petitioner did not implead the above authority, who is a necessary and proper party for adjudication of the issues involved in the connected writ petition.

4. Ms. Barman, learned Junior Government Advocate appearing for the opposite party nos. 1 & 2 has submitted that there is no objection if the interlocutory application seeking impleadment of the afore-mentioned authority is allowed.

5. Having gone through the statements and averments made in the interlocutory application, this Court is of the considered view that the presence of the proposed party-

respondent will be necessary for proper adjudication of the issues involved in the connected writ petition. Accordingly, the interlocutory application seeking impleadment of the aforementioned authority as party-respondent no. 5 in the writ petition, W.P.[C] no. 592/2024 is allowed.

6. The learned counsel for the petitioner shall file amended cause-title in terms of the Notification no. 79 dated 19.06.2023 before the Registry within 1 [one] week. On submission of the amended cause-title, the office to cause necessary correction in the cause-title of the writ petition, W.P.[C] no. 592/2024 as well as in the CIS and thereafter, list the writ petition in the motion column reflecting the name of Standing Counsel, P&RD Department in the respondents' side in the cause-list.

JUDGE

Comparing Assistant