

GAHC010018672014



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

Case No. : Cont.Cas(C)/577/2014

SMTI MUNNI HARIJAN
W/O- LT. GOPAL BASPHOR, K.B. ROAD, GHY- 8, DIST.- KAMRUP ASSAM.

VERSUS

GYANENDRA DEV TRIPATHI and 2 ORS.
IAS, COMMISSIONER and SECY. TO THE GOVT. OF ASSAM, DEPTT. OF
REVENUE, DISPUR, GHY- 6.

2:DR. M. ANGAMUTHU
IAS
THE DY. COMMISSIONER
KAMRUP
GUWAHATI.

3:LAXMINANDAN SAHARIA
CIRCLE OFFICER
GUWAHATI REVENUE CIRCL

Advocate for the Petitioner : MR.S P CHOUDHURY

Advocate for the Respondent : MR.M BHAGABATI

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

O R D E R

23.04.2024.

Heard Ms. B. Devi, learned counsel for the petitioner.

Mr. M. Bhagabati, learned counsel appearing on behalf of the alleged contemner No.1 and Mr. D.K. Roy, learned counsel appearing on behalf of the alleged contemner No.3 have jointly submitted that further two weeks time may be granted to obtain the instruction.

It is noticed that on the last three occasions, Mr. T.C. Chutia, learned counsel appearing on behalf of the alleged contemner No.3 has sought for time to obtain instruction and file necessary affidavit, with regard to the compliance of the order of this Court in this Contempt Petition.

However, today Mr. T.C. Chutia, learned counsel remains absent, reportedly due to his personal difficulty.

Considering that the matter is pending since 2014 and the issue is as to whether the alleged contemnors have complied with the Court's order or not, coupled with the submissions made by Mr. D. Saikia, learned Senior Counsel that the land in question falls within the ambit of the Guwahati Water Bodies (Preservation and Conservation) Act, 2008 and as such, any land, which is a Patta lands, the Government has taken a decision to acquire such land in order to maintain the ecological balance in the Guwahati City.

Accordingly, a last chance is granted to the alleged contemnors to file requisite affidavits within two (2) weeks.

List the matter on 08.05.2024.

JUDGE

Comparing Assistant