

GAHC010020102022



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

Case No. : WP(C)/800/2022

BITUMONI DAS AND 54 ORS
S/O DIMBESWAR DAS, R/O VILL. METEKA, P.O. DIGHALDORI, P.S. RAHA,
DIST. NAGAON, ASSAM, PIN 782103

2: MINTU KAKATI

S/O BHAGIRATH KAKATI
R/O VILL. GUIMARI
P.O. EAST GUIMARI
P.S. KAMPUR
DIST. NAGAON
PIN 782425

3: JUNMONI DAS

S/O DIMBESWAR DAS
R/O VILL. METEKA
P.O. DIGHALDORI
P.S. RAHA
DIST. NAGAON
ASSAM
PIN 782103

4: HEMAPRABHA DAS

S/O BHADRA KANTA DAS
R/O VILL. GARMARI
P.O. RAHA
P.S. RAHA
DIST. NAGAON
ASSAM
PIN 782103

5: RENUKA HAZARIKA

S/O PALON CH. HAZARIKA
R/O VILL. TEOK TELIA GAON
P.O. AND P.S. TEOK
DIST. JORHAT
ASSAM
PIN 785112

6: DIPAK CHANDRA DAS

S/O LATE MOHAN CH. DAS
R/O VILL. GUIMARI
P.O. EAST GUIMARI
P.S. KAMPUR
DIST. NAGAON (ASSAM)
PIN 782425

7: PRANJAL DAS

S/O LT. DIMBESWAR DAS
R/O VILL. GUIMARI
P.O. EAST GUIMARI
P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782425

8: HEMA MEDHI

D/O KANAK MEDHI
R/O VILL. AND P.O. DIGHALIATI (DUBORITOLI)
P.S. RAHA
DIST. NAGAON
ASSAM
PIN 782103

9: KRISHNAMOI MEDHI

D/O DEB NARAYAN MEDHI
R/O VILL. CHATANGURI
P.O. KOMORAGURI
DIST. MORIGAON
ASSAM
PIN 782105

10: MANIKA DEWRI

D/O RAMAKANTA DEWRI

R/O UDAY NAGAR
W. NO 6 P.O. AND DIST. MORIGAON
ASSAM
PIN 782106

11: TRIBENI DEVI

D/O RUPRAM NATH
R/O VILL. MAHGARIA AT GAON
P.O. KAMPUR
P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

12: RUPAM KR. HAZARIKA
S/O CHANDRA KR. HAZARIKA
R/O VILL. KACHUWA
P.O. CHAPARMUKH
P.S. RAHA
DIST. NAGAON
ASSAM
PIN 782103

13: RASHMI REKHA SHARMA

D/O ARABINDA SHARMA
R/O VILL. PURANA BAZAR
P.O. AND P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

14: SUDIPTA PRAN SHARMAH

S/O MUKUL SHARMAH
R/O VILL. AND P.O. MAJ PATHARI
P.S. SADAR
DIST. NAGAON
ASSAM.

15: MANASH JYOTI CHOUDHURY

S/O DILIP DAS
R/O H. NO. 7
KUNJA DAS PATH
A.R. DAS COLONY
NANDANPUR

JAPORIGOG
KAMRUP (M)
ASSAM
PIN 781005

16: ERAJ MONI DAS
D/O PUSPAKANTA DAS
R/O GHAHI
UJANIKURI
BHATIKURI
BALIGAON
NAGAON
RAHA
ASSAM
PIN 782144

17: GOBINDA SAHA

S/O NIRANJAN SAHA
R/O VILL. KANUAMARI
P.O. MUWAMARI
P.S. SAMAGURI
PIN 782140
DIST. NAGAON
ASSAM.

18: INDRA KUMAR BASUMATARY

S/O BHUBENESHWAR BASUMATARY
R/O VILL. RUPAHI
BELAGURI
P.O. RUPAHI
P.S. RUPAHIHAT
DIST. NAGAON
PIN 782125
ASSAM.

19: GOPAL SAHA

S/O NIRANJAN SAHA
R/O VILL. KANUAMARI
P.O. .MUWAMARI
P.S. SAMAGURI
PIN 782140
DIST. NAGAON
ASSAM.

20: BISHAL RAJKHOWA.

S/O LT. JAGANATH RAJKHOWA
R/O VILL. TETELISARA AMARAWATI
P.O. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

21: JITUMONI DEKA

S/O PRABHAT DEKA
R/O VILL. BHEBENGA ATI GAON
NEAR AHOM GAON L.P. SCHOOL
P.S. KAMPUR
DIST. NAGAON
ASSAM.

22: NETRA KAMAL BORDOLOI

S/O GOBIN BORDOLOI
R/O VILL. AND P.O. MAHARATI
P.S. NAGAON SADAR
DIST. NAGAON
PIN 782002

23: ARUN HAZARIKA

S/O NIDHI RAM HAZARIKA
R/O VILL. NEW BHELEOGURI
P.O. BHELEOGURI
P.S. SAMAGURI
DIST. NAGAON
PIN 782140
ASSAM.

24: MANDIP KAUR

S/O BIJOY SINGH
R/O VILL. AND P.O. BORKHOLA
P.S. SADAR
DIST. NAGAON
ASSAM.

25: BIVAKAR SAIKIA

S/O JOGYASWAR SAIKIA
R/O VILL AND P.O. LALUNGAON
P.S. BATADRAVA
DIST. NAGAON

ASSAM.

26: PARINITA HAZARIKA

D/O DEBA HAZARIKA
R/O VILL. GADHARI GAON
P.O. MORANGIAL
P.S. SADAR
DIST. NAGAON
ASSAM
PIN 782141

27: JYOTISHMAN BORA

S/O JUGAL CH. BORA
R/O VILL. SANTIPUTY
P.O. AND P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

28: PRITY BAISHYA

D/O MAHENDRA BAISHYA
R/O GANESH MANDIR
NARENGI
GUWAHATI
P.S. NOONMATI
DIST. KAMRUP (M)
ASSAM
PIN 781026

29: KAUSIK KR. BORA

S/O SARUDHAR BORA
R/O VILL. JOGDUAR NA PAMUA
P.O. JOGDUAR SONARI
P.S. TEOK
DIST. JORHAT
ASSAM
PIN 785112

30: DIPAK GOGOI

D/O MANESWAR GOGOI
R/O VILL. BORPOTHAR
P.S. BORPOTHAR
DHANSHRI MAHKUMA

DIST. NAGAON
ASSAM
PIN 785112

31: POMPI DAS LASKAR

D/O DINA NATH DAS
R/O VILL. ATIKAMPUR
P.O. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

32: RUPAM BORUAH

S/O LAKHI KT. BORUAH
R/O VILL. GARMARI
P.O. AND P.S. RAHA
DIST .NAGAON
ASSAM
PIN 782103

33: RANJIT BORUAH

S/O DEBIAL BORUAH
R/O GUIMARI
P.O. EAST GUIMARI
P.S. KAMPUR
DIST. NAGAON
PIN 782425

34: RUMI SAIKIA

D/O KRISHNA RAM SAIKIA
R/O MAJARATI
P.O. AND P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

35: MADHAB DAS

S/O JADAV DAS
R/O VILL. AND P.O. TETELISARA
P.S. KAMPUR
DIST .NAGAON
ASSAM
PIN 782426

36: RUMI RAJKHOWA

D/O BISHNU RAJKHOWA
R/O VILL. DAKHIMPAT BHAKOTGAON
P.O. DAKHIN CHANG CHAKI
P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

37: GOLAK MONI DAS

S/O NILKAMAL DAS
R/O VILL. KHANAMUKH
P.O. GUWAHATI UNIVERSITY
P.S. JALUKBARI
DIST .KAMRUP (M)
PIN 781014

38: KASHMIRI RAJKHOWA

D/O UPEN RAJKHOWA
R/O VILL. DAKHINPAT BHAKOTGAON
P.O. DAKHIN CHANG CHAKI
P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN 782426

39: BISHNU DEBNATH

S/O SUNIL CH. DEBNATH
R/O VILL. PAGHALI
P.O. MOWAMARI
P.S. SAMAGURI
DIST .NAGAON
ASSAM
PIN 782140

40: RIJUMANI THAKURIA

S/O RATNESWAR THAKURIA
R/O VILL. AND P.O. BELSOR
P.S. BELSOR
DIST. NALBAI
ASSAM
PIN 781304

41: RATUL BARMAN

S/O JATIN BARMAN
R/O DANGARMAKHA
BAKSA
ASSAM 781333

42: TINKUMONI LASKAR

S/O RAJANI LASKAR
R/O VILL. MEDHIBHAKAR GAON
P.S. KAMPUR
DIST. NAGAON

43: KHIREWAR BARUAH

S/O CHIDANANDA BARUAH
R/O VILL. JORHATIA
P.O. CHARAIMORIA
P.S. BOGINADI
DIST. LAKHIMPUR
ASSAM.

44: KULADIP DAS

S/O SANKAR KUMAR DAS
R/O BARIMAKHA (BAKSA)
P.O. BARBARI
DIST. BAKSA (ASSAM)
PIN 781333

45: RUBUL SHARMA

S/O LATE SAMIN SHARMA
R/O VILL. BHAKATPARA
P.O. TAMULPUR
DIST. BAKSA
PIN 781367
ASSAM.

46: TANKESWAR SAIKIA

S/O BALINDRA SAIKIA
R/O VILL. DUBIAPOTHAR
P.O. DUBA
DIST. BISWANATH
ASSAM

PIN 784178

47: PRAKASH DAS

S/O LT. BALINDRA DAS
R/O VILL. AND P.O. BARDEKPUR
P.S. KAMALPUR
DIST. KAMRUP
PIN 781382

48: KAMAL TALUKDAR

S/O LT. PRAMOD TALUKDAR
R/O VILL. AND P.O. PIPALIBARI
DIST. NALBARI
ASSAM
PIN 781338

49: MANISH KUMAR BAISHYA

S/O BITUPAN KR. BAISHYA
R/O PALAHGURI
P.O. KILING VALLEY
P.S. JAGIROAD
DIST. MORIGAON
ASSAM.

50: DIP KUMAR MEDHI

S/O SAILYADHAR MEDHI
R/O VILL. ANGURI
P.O. BHURBANDHA
DIST. MORIGAON
ASSAM.

51: RUPAM KALITA

S/O PHANIN KALITA
R/O VILL. BARBARI
P.O. AND P.S. TIHU
DIST. NALBARI
PIN 78137

52: CHAMPAK HAZARIKA

S/O BADAN HAZARIKA
R/O VILL. BARBALI
P.O. PATHALIPAM

P.S. BOGIWADI
DIST. LAKHIMPUR
ASSAM.

53: MRS. LALITA RAJBONGSHI
D/O SHRI GUNARAM DEKA
R/O VILL. PIPIRAKUCHI
P.O. DHIGHIRPAR
DIST. DARRANG
ASSAM.

54: DIBYAJYOTI HAZARIKA

S/O LT. DAMBARUDHAR HAZARIKA
R/O VILL. AND P.O. TATELICHARA
P.S. KAMPUR
DIST. NAGAON
ASSAM.

55: MRS. RIJU DEWRI

W/O SHRI RAJDIP DEKA
R/O UDAY NAGAR
W/NO. 6
MORIGAON
ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM, FISHERY DEPTT., DISPUR. GUWAHATI 6

2:THE ASSAM FISHERY DEVELOPMENT CORPORATION

CHACHAL
VIP ROAD
GUWAHATI 781036 REPRESENTED BY THE MANAGING DIRECTOR.

3:THE MANAGING DIRECTOR

ASSAM FISHERY DEVELOPMENT CORPORATION CHACHAL VIP ROAD
GUWAHATI 78103

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

09.02.2022

Heard Mr. U. K. Nair, learned senior counsel assisted by Mr. B. Choudhury, learned counsel appearing for the writ petitioners. Also heard Ms. M. D. Borah, learned Govt. Advocate, Assam, appearing for the respondent No.1. None has appeared for the respondent Nos.2 and 3 although the name of the learned Standing Counsel, AFDC has been shown in the Cause List.

The grievance expressed in this writ petition is identical to one expressed in WP(C) No.247/2022 wherein the same issue is sub-judice before this Court. Mr. Nair submits that this Court had passed an interim order in the said writ petition after hearing the submission of learned counsel for both the sides including the learned Standing Counsel, AFDC. The learned senior counsel for the petitioners further submits that his clients are also similarly situated as the petitioners in WP(C) No.247/2022 and therefore, they would be satisfied if the interim order dated 19.01.2022 passed in WP(C) No.247/2022 is extended in the present proceeding as well.

After going through the statements made in the writ petition, I am convinced that the petitioners herein are similarly situated as the petitioners in WP(C) No.247/2022. The said position has also not been disputed by the learned counsel for the respondents.

In view of the above, issue notice of motion returnable in six weeks.

Since Ms. M. D. Borah, learned Govt. Advocate, Assam has entered appearance and accepted notice on behalf of respondent No.1, no formal

notice is required to be sent to the said respondent. Extra copies of the writ petition be furnished to the learned departmental counsel within a week from today.

Petitioners to also furnish extra copies of the writ petition, requisite in numbers, to the learned Standing Counsel, AFDC, within a week from today, so as to enable him to obtain instruction.

Heard on the prayer of interim relief.

As an interim measure, it is hereby provided that the interim order dated 19.01.2022 passed by this Court in WP(C) No.247/2022 shall be applicable in case of the present petitioners as well.

Registry to list this case along with WP(C) No.247/2022.

JUDGE

Comparing Assistant