

GAHC010033122024



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

Case No. : PIL/14/2024

NORTH EAST ECO DEVELOPMENT SOCIETY
REPRESENTED BY THE SECRETARY SRI BISWAJIT SAIKIA, AGED ABOUT
42 YEARS, S/O- LATE GOPAL SAIKIA, R/O- BASISTHA, GANESH NAGAR,
HOUSE NO. 31, BASISTHA CHARIALI PATH BYE LANE NO.7, P.O. AND P.S.
BASISTHA, GUWAHATI- 781029, DISTRICT- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE
GOVERNMENT OF ASSAM, FOREST AND ENVIRONMENT DEPARTMENT,
DISPUR, GUWAHATI-06

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI-06

3:THE CHIEF EXECUTIVE OFFICER
ASSAM STATE DISASTER MANAGEMENT AUTHORITY
ANCILLARY BLOCK
JANATA BHAWAN
DISPUR
GUWAHATI-06

4:THE DIVISIONAL FOREST OFFICER
EAST KAMRUP DIVISION
BASISTHA
GUWAHATI-2

Advocate for the Petitioner : MR. S U AHMED, MD. ANARUL ISLAM,MR R DHAR

Advocate for the Respondent : GA, ASSAM, SC, FOREST,SC, REVENUE

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

**Date : 07/08/2024
*Vijay Bishnoi, CJ***

Heard Mr. S.U. Ahmed, learned counsel for the petitioner. We have also heard Ms. N. Bordoloi, learned Standing Counsel, Revenue and Disaster Management Department, Assam and Mr. D. Gogoi, learned Standing Counsel, Forest Department, Assam.

This PIL petition is filed raising a concern about the problem of water logging in the Guwahati city.

This Court has granted time to the counsel for the Revenue and Disaster Management Department, Assam, to file their response to the writ petition and pursuant to that the response has also been filed.

Though, the date was not fixed in this PIL but on a mention made by Mr. K.N. Choudhury, learned senior counsel and President of the Gauhati Bar Association yesterday, this matter is directed to be placed before this Court today.

Mr. Choudhury has invited our attention to the flood situation the Guwahati city has witnessed on 05/08/2024. The newspapers have also extensively reported the situation and the trauma faced by the citizens of the Guwahati city. Taking into consideration the fact situation, we are of the view that now time has come to deal with the problem of water logging/flooding in the Guwahati city and the State is required to take steps for resolving this problem permanently.

As such, we have requested Mr. D. Saikia, learned Advocate General, Assam to assist the Court and also extend a request to Mr. K.N. Choudhury, learned senior counsel to assist this Court as Amicus

Curiae.

Hence, we deem it appropriate to grant some time to Mr. Saikia to place on record the plan which is in existence and future comprehensive plan to deal with the menace of water logging and flooding in the Guwahati city by the next date of hearing by way of filing an affidavit on behalf of the Department of Housing and Urban Affairs (DOHUA), Government of Assam through its Principal Secretary.

Copy of the said affidavit be also supplied to Mr. K.N. Choudhury, learned senior counsel and Mr. S. U. Ahmed, learned counsel for the petitioner, in advance.

List this matter on 19/08/2024.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant