

GAHC010065192022



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

Case No. : WP(C)/2373/2022

PRASENJIT KAKATI AND ANR.

S/O- LT. LALIT NATH KAKATI, PRESENTLY RESIDING FLAT NO. 401 TOWER 2, SAGAVI APARTMENTS, PLOT 85, SECTOR 55, SHUSHANT LOK 2, GURUGRAM, HARAYANA- 122011, INDIA AND PERMANENT RESIDENT OF HOUSE NO. 196, DISPUR, GUWAHATI- 781006, DIST.- KAMRUP(M), ASSAM.

2: DR. SUMATI CHANGKAKATI

PRESENTLY RESIDING FLAT NO. 401 TOWER 2

SAGAVI APARTMENTS

PLOT 85

SECTOR 55

SHUSHANT LOK 2

GURUGRAM

HARAYANA- 122011

INDIA AND PERMANENT RESIDENT OF HOUSE NO. 196

DISPUR

GUWAHATI- 781006

DIST.- KAMRUP(M)

ASSAM

VERSUS

THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY AND 5
ORS.

REP. BY ITS CHAIRMAN, 3RD FLOOR, STATEFED BUILDING GMCH ROAD,
BHANGAGARH GUWAHATI- 781005.

2:THE CHIEF EXECUTIVE OFFICER

GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY

3RD FLOOR

STATEFED BUILDING GMCH ROAD

BHANGAGARH GUWAHATI- 781005.

3:THE STATE OF ASSAM

REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME (A) DEPTT.
DISPUR
GHY.-781006.

4:THE OFFICER-IN-CHARGE
DISPUR POLICE STATION
GUWAHATI- 781006
ASSAM.

5:M/S NORTH EAST SUPER SPECIALITY HOSPITAL PVT. LTD.
A COMPANY INCORPORATED UNDER THE PROVISIONS OF COMPANIES
ACT
1956
HAVING ITS REGISTERED OFFICE AT HOUSE NO. 56
SAPTA SAHID PATH
SARUMOTORIA
P.O. AND P.S. DISPUR
GUWAHATI- 781006
DIST. KAMRUP(M)
ASSAM
REP. BY ITS DIRECTOR
SRI RAJESH KUMAR JALAN
S/O- LATE L.N. JALAN
R/O- HOUSE NO.- 17
GAYATRI KUNJ
CHITRALEKHA LAND
USHA NAGAR
DISPUR
GUWAHATI- 781006
DIST.- KAMRUP(M)
ASSAM.

6:RAJESH KUMAR JALAN
S/O- LATE L.N. JALAN
R/O- HOUSE NO.- 17
GAYATRI KUNJ
CHITRALEKHA LAND
USHA NAGAR
DISPUR
GUWAHATI- 781006
DIST.- KAMRUP(M)
ASSAM
DIRECTOR OF M/S NORTH EAST SUPER SPECIALITY HOSPITAL PVT. LTD

Advocate for the Petitioner : MS D BORGOHAIN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 01.04.2022

Heard Ms. D Borgohain, learned counsel for the petitioner and Mr. S Bora, learned counsel for the respondent Nos.1 & 2. Also heard Mr. CS Hazarika, learned counsel for respondent Nos.3 & 4.

Issue notice, returnable by 06.04.2022.

Steps for service of notice upon respondent Nos.5 & 6 by way of Registered Post with A/D as well as through usual process within 3 (three) days with liberty also being granted to the petitioner to take steps by way of dasti.

No formal steps upon the respondent Nos.1 to 4 are called for as they are duly represented, however, extra copies of the writ petition be served upon the learned counsel for the aforesaid respondents during the course of the day.

On the returnable date, Mr. S Bora, learned counsel for respondent Nos.1 & 2 shall take instructions as to what steps have been taken as regards the alleged illegal constructions being carried out by the respondent Nos.5 & 6 and to the liberty so granted by this Court on 21.12.2021 in WP(C) No.5739/2021.

Mr. CS Hazarika, learned counsel for respondent Nos.3 & 4 shall also obtain instructions from the said respondents and more particularly, the respondent No.4 as to whether there has been compliance to the directions passed by this Court in the order dated 09.03.2022 passed in I.A(C) No.661/2022 arising out of FAO No.7/2022.

List on 06.04.2022.

JUDGE

Comparing Assistant