

GAHC010116652026



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

Case No. : WP(C)/3095/2026

SRI PRALAY CHOUDHURY
SON OF LATE PRAFULLA CHOUDHURY RESIDENT OF BHASKAR NAGAR
P.O. FATASIL, P.S.-FATASIL AMBARI, DIST-KAMRUP M, ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF
ASSAM, DEPARTMENT, OF HOUSING AND URBAN AFFAIRS, DISPUR,
GUWAHATI-6

2:THE GAUHATI MUNICIPAL CORPORATION
REPRESENTED BY THE COMMISSIONER
GAUHATI MUNICIPAL CORPORATION
GUWAHATI-6

3:THE COMMISSIONER
GAUHATI MUNICIPAL CORPORATION (GMC) BETKUCHI
GUWAHAT-3

Advocate for the Petitioner : MR. P J SAIKIA, MS. S P DAS

Advocate for the Respondent : GA, ASSAM, SC, GMC

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 12.06.2026

Heard Mr. P.J. Saikia, learned counsel for the petitioner.

2. The challenge in this petition is against the orders dated 18.03.2026 and 27.05.2026 passed by the Commissioner, Gauhati Municipal Corporation, whereby, the petitioner has been directed to submit an explanation regarding the construction of an RCC building, failing which, GMC would proceed to demolish the alleged unauthorized construction.

3. Mr. P.J. Saikia, learned counsel for the petitioner, by referring to the document at Page 21 (Annexure-4 to the writ petition), submits that by order dated 08.02.2026, a No Objection Certificate (NOC) for construction was issued to the petitioner, pursuant to which the petitioner has started construction of the RCC building.

4. Issue notice, returnable by 3 (three) weeks.

5. Since Mr. B.K. Medhi, learned State counsel and Ms. A. Bothakur, learned counsel have entered appeared and accepted notice on behalf of all the respondents, no formal notice is required to be issued to the said respondents.

6. However, requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 3 (three) days from today.

7. Considering that the petitioner appears to have been issued NOC for construction by the Office of the GMC vide order dated 08.02.2026, till the returnable date, the impugned orders dated 18.03.2026 and 27.05.2026 shall not be given effect to.

List the matter after 3 (three) weeks.

JUDGE

Comparing Assistant