

GAHC010119722026



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

Case No. : WP(C)/3139/2026

MD ANIRUDDIN AHMED
SON OF- LATE ABDUL KADIR RESIDENT OF- H/N- 20, RATAN DEWAN
ROAD, ULUBARI, GUWAHATI, P.O.- ULUBARI, P.S.- PALTAN BAZAR ,
DISTRICT- KAMRUP METRO, ASSAM , PIN-781007

2: JAHID AHMED
SON OF- LATE ABDUL KADIR RESIDENT OF- H/N- 20
RATAN DEWAN ROAD
ULUBARI
GUWAHATI. P.O.- ULUBARI
P.S.- PALTAN BAZAR DISTRICT- KAMRUP METRO
ASSAM PIN-78100

VERSUS

THE STATE OF ASSAM AND OTHERS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, GUWAHATI DEVELOPMENT DEPARTMENT, JANATA BHAWAN ,
ASSAM SECRETARIAT COMPLEX, DISPUR, GUWAHATI-781006

2:THE COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION GMC
BETKUCHI
NEAR INTER-STATE BUS TERMINUS ISBT
GUWAHATI- 781040
ASSAM

3:THE ASSOCIATE PLANNER
GUWAHATI MUNICIPAL CORPORATION GMC
BETKUCHI
NEAR INTER-STATE BUS TERMINUS ISBT
GUWAHATI- 781040
ASSAM

4:THE DISTRICT COMMISSIONER
KAMRUP METRO DISTRICT

5:SIRAJUL ISLAM
RESIDENT OF- M. AZAD ROAD
NEAR S.K. BHUYAN HIGH SCHOOL
AMINPATTY
NAGAON- 782001
ASSAM PH. 967859306

Advocate for the Petitioner : MR N Z CHOUDHURY, S LASKAR,MR S ABDULLAH

Advocate for the Respondent : GA, ASSAM, SC, G M D A,SC, GMC

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 12.06.2026

Heard Mr. A.R. Bhuyan learned senior counsel assisted by Mr. N.Z. Choudhury, learned counsel for the petitioners.

2. Challenge made in this petition is to the order dated 18.03.2026 issued by the Commissioner, Guwahati Municipal Corporation, whereby, the petitioners are directed to remove or pull down the construction alleged to have been undertaken by them, pursuant to the notice dated 23.02.2026, on the ground that the petitioners had not submitted any justification in response to the said notice.

3. It is the contention of the learned counsel for the petitioners that the structures have been standing on the petitioners' ancestral land and that no any new construction has been undertaken by the petitioner on the said land.

Issue notice, returnable by 3 (three) weeks.

4. Since Ms. A. Borthakur, learned counsel has entered appearance and accepted notice on behalf of respondents No. 1 to 3 and Mr. N. Goswami, learned counsel appears for the respondent No.4, no formal notice is required to be issued to the said respondents.

5. However, requisite extra copies of the writ petition be furnished to the learned counsel for the

respondents within 3 (three) working days from today.

6. The learned counsel for the petitioner to take steps for service of notice upon the respondent No.5 by speed post as well as usual process within 3 (three) working days from today.

7. Having considered that the petitioner has filed an appeal against the impugned order dated 18.03.2026, which is yet to be disposed of, till the returnable date, the impugned order dated 18.03.2026 shall not be given effect to.

List after 3 (three) weeks.

JUDGE

Comparing Assistant