

GAHC010134972023



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

Case No. : WP(C)/3599/2023

BIJIT CHAKRAVORTY
S/O- LATE N. N. CHAKRAVORTY, BIDYAPUR NALBARI TOWN, P.S. AND
DIST. NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
NOTICE THROUGH THE SECRETARY TO THE GOVERNMENT OF ASSAM,
FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE PRESIDENT

DISTRICT CONSUMER DISPUTE REDRESSAL COMMISSION
NALBARI.

3:DIRECTOR OF FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPTT.

GUWAHATI-5
ASSAM

4:SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

Advocate for the Petitioner : MR D CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 26-06-2023

Heard Mr. D. Choudhury, learned counsel for the writ petitioner.

Perused the averments made in the writ petition.

The petitioner is aggrieved due to the non-implementation of the RoP Rules, 1998, despite the earlier order(s) passed by this Court.

Ms. M.D. Bora, learned Govt. Advocate, Assam has questioned the maintainability of the writ petition by urging that this being the third round of litigation with the same prayer, the petition was not maintainable. The learned Govt. Advocate, Assam prays for some time to file affidavit assailing the writ petition on the point of maintainability.

Issue notice of motion returnable in 06 weeks.

Since Ms. Bora has accepted notice on behalf of respondent Nos. 1 and 3 and Mr. B. Gogoi, learned standing counsel, Finance Department, Assam has accepted notice on behalf of respondent No. 4, no formal notice is required to be sent to the said respondents.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel.

Petitioner to take steps for service of notice upon respondent No. 2 by registered post with A/D.

In addition, petitioner is also granted leave to serve dasti notice upon the

respondent No. 2, to be routed through the Registry of this Court.

The question of maintainability of the writ petition is kept open and shall be gone into at the stage of admission hearing.

List this case in the 2nd week of August, 2023.

JUDGE

GS

Comparing Assistant