

GAHC010260682022



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

Case No. : I.A.(Civil)/3811/2022

THE ASSAM FISHERIES DEVELOPMENT CORPORATION LTD. AND ANR.
VIP ROAD, CHACHAL, GUWAHATI-781036, DIST. KAMRUP (M), ASSAM,
REP. BY ITS CHAIRMAN.

2: THE MANAGING DIRECTOR
AFDC
VIP ROAD
CHACHAL
GUWAHATI-781036
DIST. KAMRUP (M)
ASSA

VERSUS

SPANDAN DAS AND 30 ORS.
S/O. SURYA DAS, L-5, PRAGJYOTISH HOUSING COMPLEX, GHORAMARA,
KHANKAH ROAD, P.O. BELTOLA, P.S. HATIGAON, GUWAHATI-781028.

2:PRIYANKA BHARALI
D/O. SHRI HRISHIKESH BHARALI
R/O. SHRISTI RESIDENCY
LANKESHWAR
WEST JALUKBARI
PIN-781014
DIST. KAMRUP (M)
GUWAHATI-04.

3:NILAKSHI DAS
W/O. PRANJAL BEZBARUAH
R/O. JAPORIGOG NEAR KARBI NAMGHAR
PANCHARATNA PATH
H.NO.-17
GUWAHATI-781005
P.O. DISPUR

P.S. DISPUR

4:DHRUBAJYOTI DEKA

S/O. SHRI AMBURAM DEKA
VILL. KATHALGURI
P.O. KATHIATALI
P.S. KAMPUR
DIST. NAGAON
ASSAM
PIN-782427.

5:BIRENDRA KUMAR DAS
S/O. SRI DILIP KUMAR DAS
R/O. MOTI RAM BORA ROAD
FOUJDARIPATTI
P.O. NAGAON
P.S. SADAR
DIST. NAGAON
ASSAM-782003.

6:MRINMOY DEKA
S/O. SHRI NAGENDRA DEKA
VILL. OJAGAON
P.O. CHENGAPATHER
DIST. UDALGURI

7:AMRIT BISWAS
S/O. SADHAN BISWAS
VILL. OUJARI
P.O. BAGHNA
DIST. MORIGAON
ASSAM-782105.

8:JITJYOTI KALITA
C/O. SHRI RISHAB CH. KALITA
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JAPORIGOG
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11:RASHMI REKHA SHARMA
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VILL. PURANI BAZAR NO.4
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C/O. DEKA STORE
P.S. CHANDMARI
P.O. CHANDMARI
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13:DHANTI HAZARIKA
S/O. SRI PABAN HAZARIKA
VILL. TETELICHARA
P.O. TETELICHARA
P.S. KAMPUR
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14:MRIGANKA DAS
S/O. SRI NARAYAN CHANDRA DAS
R/O. CHANDMARI
NABAGIRI PATH
GUWAHATI-03
DIST. KAMRUP (M).

15:NAYANMONI DAS
R/O. AZARA
P.S. AZARA

P.O. GUHATI UNIVERSITY
GUWAHATI
DIST. KAMRUP (M).

16:RUMI DAS
D/O. SRI SURENDRA MOHAN DAS
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C/O. SRI SONAMAL DEKA
R/O. P.W.D. COLONY
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SUPERMARKET
P.O. DISPUR
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C/O. SRI KAMINI KUMAR NATH
R/O. NARENGI BONDA (NEAR FOREST CAMP)
P.S. NOONMATI
P.O. BONDA
DIST. KAMRUP (M)
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19:RITALI TALUKDAR
D/O. KISHORE TALUKDAR
VILL. BAREIGAON
P.O. AND P.S. TAMULPUR
DIST. BASKA
ASSAM-781367.

20:BISHAL RAJKHOWA
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VILL/TOWN TETELISARA AMARAWATI
P.O. KAMPUR
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P.O. MORANGIAL
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23:PROJESH KR DAS
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R/O. SARUMOTORIA
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24:RUNA LASKAR
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25:MANASJYOTI BARMAN
S/O. HAREN CH. BARMAN
VILL. TATIMARA
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P.O. AND P.S. GALAGANJ
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VILL. SOUTH TOKRECHARA
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27:KISHORE MAHANTA
S/O. SRI ABANI MAHANTA
R/O. HOUSE NO.74
ANANDA NAGAR
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P.S. AND P.O. NOONMATI
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28:DILIP DAS
S/O. SRI PABIN DAS
VILL. SAHPUR
P.O. NANKARBHOIRA
DIST. NALBARI
PIN-781306.

29:PRAHLAD DAS
C/O. PARAMA DAS
VILL. NO. 3
AMTALA
P.O. KUKURMARA
P.S. CHAIGAON
DIST. KAMRUP (R)
781130.

30:SATYAJIT DEKA
S/O. LT. DEKHAN DEKA
VILL. CHURATABARI
P.O. AND P.S. MIKIRBHETA
DIST. MORIGAON.

31:KASHYAJIT BARUAH
S/O. SRI DIMBESWAR BARUAH
VILL. LOZORA
P.S. SIPAJHAR
DIST. DARAN

For applicants/appellants : Mr. D. Saikia, Advocate General, Assam
assisted by Mr. P. Sharma, Standing
Counsel, AFDC

For the respondents : Mr. J. Singh, Advocate

Linked Case : Cont.Cas(C)/413/2022

SPANDAN DAS AND 30 ORS
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VILL. LOZORA
P.S. SIPAJHAR
DIST. DARRANG
VERSUS

RAKESH KUMAR AND 2 ORS
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FISHERY DEPARTMENT
DISPUR
GUWAHATI-781006

2:GURU JYOTI DAS
CHAIRMAN OF ASSAM FISHERIES DEVELOPMENT CORPORATION LTD.
VIP ROAD
CHACHAL
GUWAHATI-781036
DIST-KAMRUP(M)
ASSAM

3:PRASANTA BORKAKOTY
THE MANAGING DIRECTOR
ASSAM FISHERIES DEVELOPMENT CORPORATION LTD.
VIP ROAD
CHACHAL
GUWAHATI-781036
DIST-KAMRUP(M)
ASSAM

Advocate for : MR. B D KONWAR SR. ADV.
Advocate for : MR P SHARMAH (r-3) appearing for RAKESH KUMAR AND 2 ORS

Linked Case : WA/295/2022

THE ASSAM FISHERIES DEVELOPMENT CORPORATION LTD.
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S/O. SRI DIMBESWAR BARUAH
VILL. LOZORA

P.S. SIPAJHAR
DIST. DARANG
32:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
FISHERY DEPARTMENT
GUWAHATI-781006.
(PROFORMA RESPONDENT).

Advocate for : MR P SHARMAH
Advocate for : MR. B D KONWAR SR. ADV. appearing for SPANDAN DAS AND 30
ORS.

– B E F O R E –
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KARDAK ETE

16-03-2023

Learned Advocate General of Assam submitted that rather than pressing this application for stay of the impugned judgment and order dated 27.06.2022, it would be better to hear the appeal finally.

In view of the above submission, this interlocutory application is dismissed as withdrawn.

The connected writ appeal as well as the contempt petition be listed for final disposal on **28.04.2023**.

JUDGE

CHIEF JUSTICE

Comparing Assistant