

GAHC010148132022



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

**Case No. : WA/295/2022**

THE ASSAM FISHERIES DEVELOPMENT CORPORATION LTD.  
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), ASSAM.

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  
R/O. KRISHNANAGAR  
JAPORIGOG  
GUWAHATI-781005  
DIST. KAMRUP (M)  
ASSAM.

9:PINKU MANE BORAH  
S/O. SHRI SADA NANDA BORAH  
VILL. MADHUPUR  
P.O. MADHUPUR  
P.S. SADAR  
DIST. NAGAON  
ASSAM  
PIN-782003.

10:TRIDEEP KR BORAH  
S/O. ANIL CHANDRA BORAH  
R/O. BELTOLA  
BHETAPARA  
P.O. BELTOLA  
P.S. HATIGAON  
DIST. KAMRUP (M)  
ASSAM-781028.

11:RASHMI REKHA SHARMA  
C/O. SHRI KARTIK SARMAH  
VILL. PURANI BAZAR NO.4  
AND P.S. KAMPUR  
DIST. NAGAON.

12:PRANJAL DEKA  
S/O. SRI MADHAB CH. DEKA  
CHANDMARI  
KRISHNAGAR  
C/O. DEKA STORE  
P.S. CHANDMARI  
P.O. CHANDMARI  
PIN-781003

13:DHANTI HAZARIKA  
S/O. SRI PABAN HAZARIKA  
VILL. TETELICHARA  
P.O. TETELICHARA  
P.S. KAMPUR  
DIST. NAGAON  
ASSAM.

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  
VILL. TETELISARA  
P.S. KAMPUR  
DIST. NAGAON  
ASSAM.

17:MANAB DEKA  
C/O. SRI KANDARPA KR. DEKA  
C/O. SRI SONAMAL DEKA  
R/O. P.W.D. COLONY  
DISPUR  
SUPERMARKET  
P.O. DISPUR, P.S. DISPUR  
GUWAHATI-781006  
DIST. KAMRUP (M)  
ASSAM.

18:JYOTI PRASAD NATH  
C/O. SRI KAMINI KUMAR NATH  
R/O. NARENGI BONDA (NEAR FOREST CAMP)  
P.S. NOONMATI  
P.O. BONDA  
DIST. KAMRUP (M)  
PIN-781026  
ASSAM.

19:RITALI TALUKDAR  
D/O. KISHORE TALUKDAR  
VILL. BAREIGAON  
P.O. AND P.S. TAMULPUR  
DIST. BASKA  
ASSAM-781367.

20:BISHAL RAJKHOWA  
C/O. LT. JAGANATH RAJKHOWA  
VILL/TOWN TETELISARA AMARAWATI  
P.O. KAMPUR  
DIST. NAGAON  
ASSAM  
PIN-782426.

21:TRIBENI DEVI  
D/O. SRI RUPRAM NATH  
VILL/TOWN MAHGARIA ATI GAON  
P.O. KAMPUR  
P.S. KAMPUR  
DIST. NAGAON  
ASSAM  
PIN-782426.

22:PARINITA HAZARIKA  
C/O. SHRI DEBA HAZARIKA  
R/O. GADHARIA GAON  
P.O. MORANGIAL, P.S. SADAR, DIST. NAGAON  
ASSAM, PIN-782141.

23:PROJESH KR DAS  
S/O. SRI DIPAK KR. DAS  
R/O. SARUMOTORIA  
DIST. KAMRUP (M)  
GUWAHATI-781036  
P.O. AND P.S. DISPUR

24:RUNA LASKAR  
W/O. SRI SANJIB DAS  
VILL. TETILISARA  
P.S. KAMPUR  
DIST. NAGAON  
ASSAM.

25:MANASJYOTI BARMAN  
S/O. HAREN CH. BARMAN  
VILL. TATIMARA  
P.O. SONABULI  
P.S. SALBARI  
DIST. BASKA  
P.O. AND P.S. GALAGANJ  
DIST. DHUBRI

26:SIDHARTH RAY  
S/O. SRI MRINAL KANTI RAY  
VILL. SOUTH TOKRECHARA  
P.O. AND P.S. GALAGANJ  
DIST. DHUBRI

27:KISHORE MAHANTA  
S/O. SRI ABANI MAHANTA  
R/O. HOUSE NO.74  
ANANDA NAGAR  
DR. BHUPEN HAZARIKA ROAD  
P.S. AND P.O. NOONMATI  
GUWAHATI  
ASSAM.

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. DARANG

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

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

SPANDAN DAS AND 30 ORS  
S/O. SURYA DAS, L-5  
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GHORAMARA, KHANKAH ROAD  
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GUWAHATI-781028

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ASSAM-782105.

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SUPERMARKET  
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P.S. DISPUR  
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P.S. NOONMATI  
P.O. BONDA  
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S/O. HAREN CH. BARMAN  
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P.S. AND P.O. NOONMATI  
GUWAHATI  
ASSAM.

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VILL. SAHPUR  
P.O. NANKARBHOIRA  
DIST. NALBARI  
PIN-781306.

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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. 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

For the Appellant(s): Mr. P. Sharmah, Standing Counsel, AFDC [in WA No.295/2022].  
Ms. V.V. Thanyu, Advocate for the petitioners in Cont.Cas(C) No.413/2022.

For the Respondent(s) : Ms. V.V. Thanyu, Advocate for respondent Nos.1 to 31 in WA No.295/2022.  
Mr. P. Nayak, Advocate.  
Ms. R.B. Bora, Advocate.  
Mr. D. Nath, Senior Government Advocate, Assam.  
Mr. P. Sharmah, Standing Counsel, AFDC [for respondent No.32 in WA 295/2022].

**- B E F O R E -**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

**28.07.2023**

Ms. V.V. Thanyu, learned counsel, representing the respondent Nos.1 to 31 in WA No.295/2022, submits that she needs some time to complete her instructions.

List after 2(two) weeks, as prayed.

Interim order passed earlier in WA No.295/2022 shall remain in currency till disposal of the writ appeal.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**