

GAHC010046082023



undefined

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

Case No. : WP(C)/1212/2023

M/S DAYAL CONSTRUCTIONS AND ANR
HAVING OFFICE AT M/S DAYAL ENTERPRISES A T ROAD MAKUM ROAD
NEAR TOKRIGOLA P.O. P.S AND DIST. TINSUKIA ASSAM PIN 786125 REP
.BY THE PETITIONER NO. 2 SRI RAVI CHOUDHURY

2: RAVI CHOUDHURY
S/O RAJENDRA PRASAD CHOUDHURY R/O CHALIHA NAGAR NEAR TDA
OFFICE P.O P.S AND DIST. TINSUKIA ASSAM PIN 78612

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE SEC. TO THE GOVT. OF ASSAM TOWN AND COUNTRY
PLANNING DEPTT. DISPUR GUWAHATI ASSAM 781006

2:THE TINSUKIA MUNICIPAL BOARD
GNB ROAD TINSUKIA ASSAM 786125

3:THE CHAIRMAN
TINSUKIA MUNICIPAL BOARD GNB ROAD TINSUKIA ASSAM 786125

4:THE EXECUTIVE OFFICER
TINSUKIA MUNICIPAL BOARD GNB ROAD TINSUKIA ASSAM 786125

5:THE TOWN PLANNER
TINSUKIA MUNICIPAL BOARD GNB ROAD TINSUKIA ASSAM 786125

6:THE DEPUTY COMMISSIONER
DIST. TINSUKIA ASSAM 786125

7:RANJU AGARWAL
W/O RAM PRAKASH AGARWAL (JINDAL) R/O CHIRWAPATTY ROAD NEAR
DEVI MANDIR P.O P.S AND DIST. TINSUKIA ASSAM 786125

8:RAM PRAKASH AGARWAL (JINDAL)
S/O LT. HANUMAN PRASAD AGARWAL (JINDAL) R/O CHIRWAPATTY
ROAD NEAR DEVI MANDIR P.O P.S AND DIST. TINSUKIA ASSAM 78612

Advocate for the Petitioner : MR. B D KONWAR SR. ADV., MR H AGARWAL,MR J SINGH

Advocate for the Respondent : GA, ASSAM, MR. S BORTHAKUR (R-2 TO 5),MR. S S ROY(R-2 TO 5),MR. BHASKAR DUTTA, SENIOR ADVOCATE (r-7,8),MR J DAS (r-7,8),MR. SAILENDRA DEKA (r-7,8)

Linked Case : I.A.(Civil)/154/2025

M/S DAYAL CONSTRUCTIONS AND 4 ORS
REP. BY SRI RAJENDRA PRASAD CHOUDHURY
HAVING OFFICE AT C/O. M/S DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

2: RAJENDRA PRASAD CHOUDHURY
S/O- LT. SATYANARAYAN CHOUDHURY
R/O- CHALIHA NAGAR
NEAR TINSUKIA DEVELOPMENT OFFICE
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125 AND ALSO HAVING THEIR OFFICE ADDRESS AT C/O. M/S
DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

3: RAVI CHOUDHURY
S/O- LT. SATYANARAYAN CHOUDHURY
R/O- CHALIHA NAGAR
NEAR TINSUKIA DEVELOPMENT OFFICE
P.O.

P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125 AND ALSO HAVING THEIR OFFICE ADDRESS AT C/O. M/S
DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

4: VISHAL CHOUDHURY
S/O- SRI RAJENDRA PRASAD CHOUDHURY
R/O- CHALIHA NAGAR
NEAR TINSUKIA DEVELOPMENT OFFICE
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125 AND ALSO HAVING THEIR OFFICE ADDRESS AT C/O. M/S
DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

5: SHASHI CHOUDHURY
S/O- SRI RAJENDRA PRASAD CHOUDHURY
R/O- SHAKSHI MOTORS
CHIRWAPATTY ROAD
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
VERSUS

RANJU AGARWAL AND ORS
W/O- SRI RAM PRAKASH AGARWAL (JINDAL)
R/O- CHIRWAPATTY ROAD
NEAR DEVI MANDIR
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

2:RAM PRAKASH AGARWAL (JINDAL)
S/O- LATE HANUMAN PRASAD AGARWAL (JINDAL)
R/O- CHIRWAPATTY ROAD

NEAR DEVI MANDIR
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

3:THE STATE OF ASSAM
REP BY THE PP
ASSAM

4:THE DIRECTOR
MUNICIPAL ADMINISTRATION
ASSAM
DISPUR
GHY-06

5:THE EXECUTIVE OFFICER
TINSUKIA MUNICIPAL BOARD
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

6:SWAPNA GARODIA
W/O- SANJAY GARODIA
C/O GARODIA AUTO MOBILES
MORAN TOWN
P.O. AND P.S. MORAN
DIST.- SIVASAGAR
ASSAM
PIN- 785640

Advocate for : MR. B D KONWAR SR. ADV.
Advocate for : MR. B DUTTA appearing for RANJU AGARWAL AND ORS

Linked Case : I.A.(Civil)/2305/2024

RANJU AGARWAL AND ANR
W/O RAM PRAKASH AGARWAL (JINDAL) R/O CHIRWAPATTY ROAD NEAR
DEVI MANDIR P.O P.S AND DIST. TINSUKIA ASSAM 786125

2: RAM PRAKASH AGARWAL (JINDAL)
S/O LT. HANUMAN PRASAD AGARWAL (JINDAL) R/O CHIRWAPATTY ROAD
NEAR DEVI MANDIR P.O P.S AND DIST. TINSUKIA ASSAM 786125
VERSUS

M/S DAYAL CONSTRUCTIONS AND 7 ORS
HAVING OFFICE AT M/S DAYAL ENTERPRISES A T ROAD MAKUM ROAD
NEAR TOKRIGOLA P.O. P.S AND DIST. TINSUKIA ASSAM PIN 786125 REP .BY
THE PETITIONER NO. 2 SRI RAVI CHOUDHURY

2:RAVI CHOUDHURY
S/O RAJENDRA PRASAD CHOUDHURY R/O CHALIHA NAGAR NEAR TDA
OFFICE P.O P.S AND DIST. TINSUKIA ASSAM PIN 786125

3:THE STATE OF ASSAM
REP. BY THE SEC. TO THE GOVT. OF ASSAM TOWN AND COUNTRY
PLANNING DEPTT. DISPUR GUWAHATI ASSAM 781006

4:THE TINSUKIA MUNICIPAL BOARD
GNB ROAD TINSUKIA ASSAM 786125

5:THE CHAIRMAN
TINSUKIA MUNICIPAL BOARD GNB ROAD TINSUKIA ASSAM 786125

6:THE EXECUTIVE OFFICER
TINSUKIA MUNICIPAL BOARD GNB ROAD TINSUKIA ASSAM 786125

7:THE TOWN PLANNER
TINSUKIA MUNICIPAL BOARD GNB ROAD TINSUKIA ASSAM 786125

8:THE DEPUTY COMMISSIONER
DIST. TINSUKIA ASSAM 786125

Advocate for : MR. SAIENDRA DEKA
Advocate for : MR. B D KONWAR SR. ADV. appearing for M/S DAYAL
CONSTRUCTIONS AND 7 ORS

Linked Case : WP(C)/392/2023

RANJU AGARWAL AND ANR.
W/O- SRI RAM PRAKASH AGARWAL (JINDAL)
R/O- CHIRWAPATTY ROAD
NEAR DEVI MANDIR
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

2: RAM PRAKASH AGARWAL (JINDAL)
S/O- LATE HANUMAN PRASAD AGARWAL (JINDAL)
R/O- CHIRWAPATTY ROAD

NEAR DEVI MANDIR
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125
VERSUS

THE STATE OF ASSAM AND 8 ORS
REP. BY THE SECY. TO THE GOVT. OF ASSAM
TOWN AND COUNTRY PLANNING DEPTT.
DISPUR
GHY-06

2:THE DIRECTOR
MUNICIPAL ADMINISTRATION
ASSAM
DISPUR
GHY-06

3:THE EXECUTIVE OFFICER
TINSUKIA MUNICIPAL BOARD
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

4:M/S DAYAL CONSTRUCTIONS
REP. BY SRI RAJENDRA PRASAD CHOUDHURY
HAVING OFFICE AT C/O. M/S DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

5:RAJENDRA PRASAD CHOUDHURY
S/O- LT. SATYANARAYAN CHOUDHURY
R/O- CHALIHA NAGAR
NEAR TINSUKIA DEVELOPMENT OFFICE
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125 AND ALSO HAVING THEIR OFFICE ADDRESS AT C/O. M/S
DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.

P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

6:RAVI CHOUDHURY
S/O- LT. SATYANARAYAN CHOUDHURY
R/O- CHALIHA NAGAR
NEAR TINSUKIA DEVELOPMENT OFFICE
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125 AND ALSO HAVING THEIR OFFICE ADDRESS AT C/O. M/S
DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

7:VISHAL CHOUDHURY
S/O- SRI RAJENDRA PRASAD CHOUDHURY
R/O- CHALIHA NAGAR
NEAR TINSUKIA DEVELOPMENT OFFICE
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125 AND ALSO HAVING THEIR OFFICE ADDRESS AT C/O. M/S
DAYAL ENTERPRISES
A.T.ROAD (MAKUM ROAD)
NEAR TOKRIGOLA
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125

8:SHASHI CHOUDHURY
S/O- SRI RAJENDRA PRASAD CHOUDHURY
R/O- SHAKSHI MOTORS
CHIRWAPATTY ROAD
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM

9:SWAPNA GARODIA
W/O- SANJAY GARODIA
C/O GARODIA AUTO MOBILES
MORAN TOWN

P.O. AND P.S. MORAN
DIST.- SIVASAGAR
ASSAM
PIN- 785640

Advocate for : MR. BHASKAR DUTTA
SENIOR ADVOCATE
Advocate for : SR. GA
ASSAM appearing for THE STATE OF ASSAM AND 8 ORS

BEFORE
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

04-11-2025

As agreed to by the learned counsels for the parties, list these matters on **20.01.2026**.

The interim order passed earlier shall continue until further order of the Court.

JUDGE

Comparing Assistant