

GAHC010170392020



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

Case No. : WP(C)/5018/2020

ABDUL MANNAF CHOUDHURY
S/O LT. AYNAL HOQUE, PRAGATI NAGAR, BHALUKDUBI, JUNGLE BLOCK
NO.2, P.S. AND DIST- GOALPARA, PIN-783121, ASSAM

VERSUS

THE STATE OF ASSAM AND 14 ORS
REP. BY THE ADDL. CHIEF SECRETARY TO THE GOVT. OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, GHY-6

2:COMMISSIONER AND SPECIAL SECRETARY TO THE GOVT. OF ASSAM
PUBLIC WORKS (BUILDING) DEPARTMENT
DISPUR
GHY-6

3:DEPUTY COMMISSIONER
GOALPARA
ASSAM
PIN-783121

4:SUPERINTENDENT OF POLICE
GOALPARA
ASSAM- 783121

5:ADDL. DY. COMMISSIONER (REVENUE)
O/O THE DY. COMMISSIONER
GOALPARA
ASSAM
PIN-783121

6:EXECUTIVE ENGINEER
PWD

BUILDING DIVISION
GOALPARA
ASSAM- 783101

7:CIRCLE OFFICER
BALIJANA REVENUE CIRCLE
P.O. BALIJANA
GOALPARA
ASSAM- 783120

8:SHAHIDUL ALOM
S/O ABDUL MAZID SK.
R/O SIMLABARI
P.O. SIMLABARI
DIST- GOALPARA
ASSAM
PIN-783120

9:FORIDA YASMIN
W/O ANOWAR HUSSAIN
R/O DAKURBHITA
P.O. GOALPARA
DIST- GOALPARA
ASSAM-783101

10:MAMONI BEGUM
W/O ROFIQUL ISLAM
R/O SALPARA
MOLANDUBI PART-I
P.O. KRISHNAI
DIST- GOALPARA
ASSAM-783126

11:SAIF UDDIN AKANDA
S/O MOTIOR RAHMAN
R/O CHILAR BHITA
P.O. TULSIBARI
DIST- GOALPARA
ASSAM
PIN-783132

12:ROWSANA E KHANOM
W/O KHATIBUDDIN AHMED
R/O GANDHINAGAR
P.O. KRISHNAI
DIST- GOALPARA
ASSAM
PIN-783126

13:NAZIMA BEGUM
W/O GOLAM BABUR KIBRIYA
R/O KHALISABHITA
P.O. KHALISABHITA
DIST- GOALPARA
ASSAM
PIN-783330

14:NASIUR RAHMAN
S/O MOTIOR RAHMAN
R/O SHAHIDNAGAR (BHALUKDUBI) NEAR GOALPARA ENGLISH SCHOOL
P.O. BHALUKDUBI
DIST- GOALPARA
ASSAM
PIN-782131

15:PRADEEP KUMAR NATH
PRESIDENT
BHALUKDUBI SANMILIT SACHETAN NAGARIK MANCH
S/O LT. GANESH CHANDRA NATH
R/O BHALUKDUBI
P.O. BHALUKDUBI
DIST- GOALPARA
ASSAM
PIN-78213

Advocate for the Petitioner : MR D DAS

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 26/11/2020

Heard Mr. D. Das, learned counsel for the petitioner.

Issue notice returnable in four weeks.

Mr. B.J. Talukdar, learned Standing Counsel, Revenue Department, Assam, appears and accepts notice on behalf of the respondent no.1 whereas Ms. M. Bhattacharjee, learned Additional Senior

Government Advocate, Assam, accepts notice on behalf of the respondent nos. 3, 4, 5 and 7. Mr. B. Gogoi, learned Standing Counsel, PWD, Assam, appears on behalf of the respondent no. 6. As such, service of notice on the respondent nos. 1 to 7 is complete. Petitioner to furnish extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel (s) within three days.

Petitioner to take steps for service of notice upon the respondent nos. 8 to 15 by registered post with A/D as well as usual process.

Steps within three days from today.

Heard on the prayer of interim relief.

Mr. Das submits that despite the order dated 18/08/2020 passed by this Court in WP(C) 3133/2020, the private respondents have not submitted any representation before the competent authority. On the contrary they are proceeding with the construction of the drain by diverting natural water flow.

In view of the grievance expressed by the petitioner, it is provided that the competent authorities may look into the same and take appropriate action in the matter, in accordance with law, if so advised.

JUDGE

Sukhamay

Comparing Assistant