

GAHC010177072024



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

Case No. : WP(C)/4562/2024

SANJAY SHARMA
S/O- LATE JAY PRAKASH SHARMA,
C/O- NEW J.B. COMPLEX (1ST FLOOR),
FLAT NO. 103, J.P. AGARWAL ROAD, SANTIPUR,
GUWAHATI- 781009, DISTRICT- KAMRUP(M),
ASSAM.

VERSUS

THE GOVERNMENT OF ASSAM AND 2 ORS
THROUGH THE SECRETARY,
URBAN DEVELOPMENT, GOVERNMENT OF ASSAM,
DISPUR, GUWAHATI- 781006.

2:THE COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION
UZANBAZAR
GUWAHATI- 781001

ASSAM.

3:MD. JEHIRUL ISLAM
C/O- J.B. COMPLEX
1ST BYE LANE

J.P. AGARWALLA
SANTIPUR

GUWAHATI-781009

Advocate for the Petitioner : PETITIONER IN PERSON,

Advocate for the Respondent : SC, GMC, S A BAKHTIAR(R-3),MR K JAIN (R-3),MR. N ALAM(R-3)

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

16.06.2025

Heard Mr. Sanjay Sharma, petitioner-in-person, who submits that the private respondent no.3 has constructed an unauthorized construction which needs to be demolished.

Mr. P. Nayak, learned Standing Counsel for the GMC submits that a demolition order has already been issued by the GMC and the appeal filed by the respondent no.3 against the said demolition order has been rejected by the appellate authority of the GMC.

Mr. S.A. Bakhtiar, learned counsel for the respondent no.3 has prayed for time for filing affidavit-in-opposition.

It is noticed that Mr. S.A. Bakhtiar, learned counsel for the respondent no.3 has been given 6 (six) opportunities to file affidavit-in-opposition since 09.12.2024. However, the respondent no.3 has failed to file any affidavit-in-opposition.

List the matter on **23.06.2025**, on which date an attempt shall be made to dispose of the matter on the basis of materials available on record. As the respondent no.3 has not filed any affidavit-in-opposition, it appears that the respondent no.3 is only interested in delaying the matter, by not filing an affidavit-in-opposition. However, in the interest of justice, one last chance is provided to the respondent no.3 to file the affidavit, within 3 (three) days,

subject to payment of cost of Rs.10,000/- in the Registry of this Court.

JUDGE

Comparing Assistant