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

Case No. : WP(C)/5076/2025

NALINI SAIKIA
S/O LATE NABIN CH. SAIKIA, R/O VILL- MAJGAON KHARA ATI, P.O. AND
P.S.- TEZPUR, DIST- SONITPUR, ASSAM, PIN-784001

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, DEPARTMENT OF HOUSING AND URBAN
AFFAIRS, DISPUR, GUWAHATI-06

2:THE DISTRICT COMMISSIONER
SONITPUR
ASSAM

3:THE CHIEF EXECUTIVE OFFICER
TEZPUR MUNICIPAL BOARD
TEZPUR
SONITPUR

4:THE CHAIRMAN
TEZPUR MUNICIPAL BOARD
TEZPUR
DIST- SONITPUR
ASSAM

5:THE DISTRICT ELECTION OFFICER
TEZPUR
SONITPUR

6:PRITAM BORA
S/O DHARANIDHAR BORA

R/O VILL- GHORPORA CHUBURI
HOUSE NO. 46
P.O.- TEZPUR
DIST- SONITPUR
ASSAM
PIN-784001

7:BHANU PRATAP BORA
S/O DHARANIDHAR BORA
R/O VILL- GHORPORA CHUBURI
HOUSE NO. 46
P.O.- TEZPUR
DIST- SONITPUR
ASSAM
PIN-784001

8:MUKUL NATH
S/O BHOGESWAR NATH
R/O VILL- RUBBER BAGAN
WARD NO. 16
P.O.- TEZPUR
DIST- SONITPUR
ASSAM
PIN-784001

9:LAKHYAJYOTI NATH
S/O KESHAB NATH
R/O VILL- USHANAGAR
WARD NO. 17
BYE LANE-6
P.O.- TEZPUR
DIST- SONITPUR
ASSAM
PIN-78400

Advocate for the Petitioner : MR. N BORAH, S K LAHAN

Advocate for the Respondent : GA, ASSAM, SC, ELECTION COMMISSION.

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 03.09.2025

Heard Mr. N. Borah, learned counsel for the petitioner.

Challenge made in this petition is to the impugned Settlement Order dated 29.03.2025, whereby the settlement of Mahabhairav Market in Tezpur under Tezpur Municipal Board is made in favour of the respondent No.6, selecting to collect land revenue of the market/parking etc under Tezpur Municipality for the year 2025-06.

It is submitted by Mr. N. Borah, learned counsel for the petitioner that all the bidders including the petitioner have quoted same bid value of Rs.14,55,300/- for settlement of the aforesaid market pursuant to the NIT. However, without any reason, the respondent No.6 has been settled with the aforesaid market.

Referring to the communication dated 07.07.2025 by the Chairman Tezpur Municipal Board, he submits that from perusal it appears that the respondent No.6 has been preferred on account of being unemployed, which is not the prescribed condition of the NIT.

Issue notice, returnable on **15.10.2025**.

Since Mr. G. Bokalia, learned counsel has entered appearance and accepted notice on behalf of respondent No.1 and 2, no formal notice is required to be issued to the said respondents.

However, requisite extra copies be furnished to the learned counsel for the respondents during the course of the day.

Learned counsel for the petitioner shall take steps for service of notice upon the respondents No. 3 to 9 by registered post with A/D within 7 (seven) days from today.

It is provided that the settlement of market shall be subject to the outcome of the writ petition.

JUDGE

Comparing Assistant