

GAHC010196282022



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

Case No. : WP(C)/6310/2022

BROJENDRA CHANDRA DAS
SON OF LATE GOHENDRA CH. DAS,
RESIDENT OF VILLAGE- GHURAMARA,
P.O.- CHATAINYANAGAR,
P.S.- BADARPUR,
DISTRICT- KARIMGANJ, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, FISHERY DEPARTMENT, DISPUR, GUWAHATI-
06.

2:THE DEPUTY COMMISSIONER
KARIMGANJ
ASSAM.

3:THE CIRCLE OFFICER
BADARPUR

DISTRICT- KARIMGANJ

ASSAM.

4:THE OFFICER-IN-CHARGE
BADARPUR POLICE STATION
DISTRICT- KARIMGANJ
ASSAM

Advocate for the Petitioner : MR. J M A CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 26/09/2022

Heard Mr. J.M.A. Choudhury, learned counsel for the writ petitioner.

The petitioner herein claims to be the sitting lessee in respect of "Bhatukhai Hisradighi Fishery" in the district of Karimganj, which was settled with him for a period of seven years with effect from 9th July, 2020. The grievance of the petitioner is that illegal fishing activities are being carried out in the aforesaid fishery.

Although the said issue has been brought to the notice of the district Administration and notwithstanding the direction issued by the Additional Deputy Commissioner, Karimganj to the concerned Circle Officer and the Officer-in-Charge of the concerned Police Station to take preventive measure, nothing has been done, as a result of which, the interest of the petitioner is suffering serious prejudice.

Mr. Choudhury, learned counsel for the writ petitioner has prayed for a direction be issued to the respondent nos. 3 and 4 to take appropriate measure to stop illegal fishing activities.

Mr. C.K.S. Baruah, learned Government Advocate, Assam, appearing for the official respondents prays for some time to obtain instruction.

Issue notice of motion returnable in six weeks.

Since Mr. C.K.S. Baruah, learned Government Advocate, Assam, has appeared and accepted notice on behalf of the respondent nos. 1 to 4, no formal notice is required to be sent to the said respondents. However, extra copies of the writ petition, requisite in numbers, be furnished to the

learned departmental counsel within three days from today, so as to enable him to obtain instruction and file affidavit.

Heard on the prayer of interim relief. The said prayer will be considered on the returnable date. It is, however, made clear that pendency of the writ petition shall not be a bar for the respondent nos. 3 and 4 to take appropriate action in the matter, in accordance with law, if so advised.

List the matter accordingly.

JUDGE

sukhamay

Comparing Assistant