

GAHC010201522025



2025:GAU-AS:13238

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

Case No. : WP(C)/5357/2025

ABDUL JALIL
S/O ABDUL HAMID, RESIDENT OF PAIKAN PART II, PS KRISHNAI, DIST
GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR
GUWAHATI 06

2:THE DIRECTOR

PANCHAYAT AND RURAL DEVELOPMENT ASSAM
DISPUR GUWAHATI 781006

3:THE DISTRICT COMMISSIONER

GOALPARA
ASSAM

4:THE GOALPARA ZILLA PARISHAD
REP. BY THE CHIEF EXECUTIVE OFFICER

PO AND PS GOALPARA ASSAM

5:THE CHIEF EXECUTIVE OFFICER

GOALPARA ZILLA PARISHAD
PO AND PS GOALPARA
ASSAM

6:THR KRISHNAI ANCHALIK PANCHAYAT
REP BY ITS EXECUTIVE OFFICER
PO AND PS KRISHNAI
DIST. GOALPARA ASSAM

7:THE PRESIDENT

KRISHNAI ANCHALIK PANCHAYAT
PO AND PS KRISHNAI
DIST GOALPARA
ASSA

For the petitioner (s) : Mr. M. A. Choudhury, Advocate

For the respondent (s) : Mr. S. Dutta, SC, P&RD
Ms. U. Das, Addl. Sr. Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

24.09.2025

Heard Mr. M. A. Choudhury, the learned counsel appearing on behalf of the petitioner. Mr. S. Dutta, the learned counsel appears on behalf of the P&RD Department and Ms. U. Das, the learned Additional Senior Government Advocate appears on behalf of the District Commissioner.

2. The petitioner herein is aggrieved by the action on the part of the Respondent Authorities for not allowing the petitioner to run the market in question and permitting some other person(s) to run the Krishnai Weekly Market in violation to the provisions of

Assam Panchayat Act, 1994.

3. Mr. S. Dutta, the learned counsel appearing on behalf of the respondent P&RD Department submitted that the law permits the Respondent Authorities to settle the market only by way of tender process in terms with Section 105 of the Assam Panchayat Act, 1994. It is only during the interim period, the Panchayat can run the market in terms with Section 105(5) of the Assam Panchayat Act, 1994.

4. Taking into account the above, this Court does not find that the petitioner has any conceivable right to seek a direction from this Court.

5. The respondents are directed to take appropriate steps for settling the market by way of notice inviting tender, and till such time, the respondents are directed to run the market only in terms with Section 105(5) of the Assam Panchayat Act, 1994.

6. Considering the above, the instant writ petition stands dismissed.

JUDGE

Comparing Assistant