

GAHC010201822016



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

Case No. : WP(C)/364/2016

NIRANJAN BORO
S/O. SRI GOPAL BORA, VILL KALCHENI, P.O. KALCHRNI, P.S. TAMULPUR,
DIST. BADSA, ASSAM, PIN-781368.

VERSUS

BODOLAND TERRITORIAL COUNCIL and 8 ORS
REP. BY THE PRINCIPAL SECY. TO THE BODOLAND TERRITORIAL
COUNCIL, BODAFANWGW, KOKRAJHAR, PIN-783370.

2:THE JOINT SECRETARY
FOOD
CIVIL SUPPLIES and CONSUMER AFFAIRS DEPTT.
BTC
KOKRAJHAR
ASSAM
PIN-783370.

3:THE COUNCIL HEAD OF DEPTT.
FOOD
CIVIL SUPPLIES and CONSUMER AFFAIRS DEPTT.
BTC
KOKRAJHAR
ASSAM
PIN-783370.

4:THE SUPDT.
FOOD
CIVIL SUPPLIES and CONSUMER AFFAIRS DEPTT.
BTC
TAMULPUR
ASSAM

PIN-781367.

5:THE STATE OF ASSAM
REP. BY THE COMM. and SECY. TO THE GOVT. OF ASSAM
FOOD
CIVIL SUPPLIES and CONSUMER AFFAIRS DEPTT.
DISPUR
GHY.-06
ASSAM
PIN-781006.

6:THE DY. COMMISSIONER
MASHALPUR
DIST. BAKSA BTC
ASSAM
PIN-781346.

7:THE SUB-DIVISIONAL OFFICER C
TAMULPUR
DIST. BAKSA BTC
ASSAM
PIN-781367.

8:THE CIRCLE OFFICER
TAMULPUR
DIST. BAKSA BTC
ASSAM
PIN-781367.

9:SRI RATAN BORO
S/O. LT. KATI RAM BORO
VILL. KALCHENI
P.O. KALCHENI
P.S. TAMULPUR
DIST. BAKSA BTC ASSAM
PIN-781368

Advocate for the Petitioner : MR.S U AHMED

Advocate for the Respondent : SC, BTC

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 19.04.2023

Heard Mr. H. Medhi, learned counsel for the petitioner; Ms. R.B. Bora, learned Standing Counsel, BTC for the respondent nos. 1, 2, 3 & 8; and Mr. N. Goswami, learned Junior Government Advocate, Assam for the respondent nos. 5, 6 & 7.

In deference to the order dated 31.03.2023, Sri Basanta Kumar Das, Assistant Director, In-charge, Food, Civil Supplies & Consumer Affairs Department, BTC, Tamulpur is present.

Mr. Das has submitted that he has joined in present the post in July, 2022 and the retail PDS license under the APDA Order, 1982 for Village – Kalcheni had been issued in favour of the respondent no. 9 herein on 10.10.2019 during the tenure of his predecessors. He has submitted that after receipt of the copy of the order dated 31.03.2023, he has gone through the records and is in contemplation to take appropriate steps. He has prayed for a week's time to have a detailed consideration of the entire matter.

Considering the prayer made by Mr. Das, Assistant Director, In-charge, Food, Civil Supplies & Consumer Affairs Department, BTC, Tamulpur, list the case on 28.04.2023. On 28.04.2023, the respondent authorities shall invariably file its counter affidavit in the instant case.

Mr. Das, Assistant Director, In-charge, Food, Civil Supplies & Consumer Affairs Department, BTC, Tamulpur is directed to appear in person again on 28.04.2023.

JUDGE

Comparing Assistant