

GAHC010202552021



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

Case No. : WP(C)/118/2022

BADAN CHANDRA BORA
S/O. RABIRAM BORA, R/O. 8TH MILE, AMERIGOG, P.S. BASISTHA (OUT
POST JORAHAT) P.O. KHANAPARA, DIST. KAMRUP(M), ASSAM, PIN-781023.

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, REVENUE AND
DISASTER MANAGEMENT, ASSAM CIVIL SECRETARIAT, DISPUR,
GUWAHATI, PIN-781006.

2:THE ADDL. DEPUTY COMMISSIONER AND CEO

DISTRICT DISASTER MANAGEMENT AUTHORITY
KAMRUP (M)
GUWAHATI-781001.

3:CIRCLE OFFICER

DISPUR REVENUE CIRCLE
DISPUR
PIN-781028.

4:DIRECTOR

SOIL CONSERVATION RG BARUAH ROAD
GUWAHATI-781005.

5:DIVISIONAL FOREST OFFICER

KAMRUP EAST DIVISION
BASISTHA

GUWAHATI-781039.

6:OFFICER IN CHARGE

JORBAT OUT POST
JORABAT
GUWAHATI.

7:BIKASH AGARWAL
R/O. FLAT NO. C1
DURGA RESIDENCY
BACK SIDE OF MLA HOSTEL
DISPUR-781005

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate)

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 27.01.2022

Heard Ms. N. Begum, learned counsel for the petitioner. Also heard Mr. P.S. Deka, learned Standing Counsel, Revenue Department for the respondent no. 1; Ms. S. Sharma, learned Junior Government Advocate for the respondent nos. 2, 3 and 6; and Mr. D. Gogoi, learned Standing Counsel, Forest Department for the respondent no. 5. None has appeared for the respondent no. 4.

Ms. Sharma, learned Junior Government Advocate has placed an order dated 04.01.2022 passed by the Deputy Commissioner & Chairman District Disaster Management Authority, Kamrup [M] District in exercise of powers conferred upon them under Sections 30.2(III), (V), (VI), (VIII), (IX), (XI), (XX), (XXIII) & Section 41 C of the Disaster Management Act, 2005 whereby the Deputy Commissioners of Police and the Divisional Forest Officer, Kamrup East

Division have been directed to initiate stern legal action in coordination with the concerned Circle Officers against the persons involved in illegal mining, earth cutting, etc. and the said order has come into force with immediate effect and until further order.

Office note dated 11.01.2022 reflects that notice has not yet been served upon the respondent no. 7.

List the case on 16.02.2022.

JUDGE

Comparing Assistant