

GAHC010205412023



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

Case No. : WP(C)/5331/2023

AMANUL ISLAM
S/O LATE HAFEJUDDIN AHMED, R/O VILL- NAYAPARA, W/NO-5,
(GOALPARA TOWN), P.O. AND P.S. AND DIST- GOALPARA, ASSAM, PIN-
783101

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, URBAN DEVELOPMENT DEPTT., DISPUR,
GUWAHATI-6

2:GOALPARA MUNICIPAL BOARD
REPRESENTED BY ITS CHAIRMAN
DIST-GOALPARA

3:TRISHNA SARMA
EXECUTIVE OFFICER
GOALPARA MUNICIPAL BOARD
DIST-GOALPARA

4:SOZIMUDDIN AHMED
S/O LATE ABUL HUSSAIN
AHMED BHAWAN
R/O VILL- NAYAPARA
W/NO-5
(GOALPARA TOWN)
P.O. AND P.S. AND DIST- GOALPARA
ASSAM
PIN-78310

Advocate for the Petitioner : MR D BARMAN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI
ORDER**

15.11.2023

Heard Shri D. Barman, learned counsel for the petitioner, who is aggrieved by violation of the building permission by the respondent no. 4 who has a plot of land adjacent to the plot of land of the petitioner.

It is the case of the petitioner that the construction of the respondent no. 4 is in violation of the permission granted by the Goalpara Municipal Board and in this regard there was certain actions by the authority against which the said respondent no. 4 had earlier filed two writ petitions being WP(C)/4320/2022 and WP(C)/616/2022. However, making some incorrect representation, both the representations were withdrawn on 19.06.2023. The grievance of the petitioner is that the illegality which was committed by the respondent no. 4 is yet to be looked into.

Let notice be issued, returnable by 6 (six) weeks.

Ms. N. Bordoloi, learned Counsel appearing on instructions of Shri P. Nayak, learned Standing Counsel accepts notice on behalf of the respondent no. 1.

Let extra copy of the writ petition be served upon her by tomorrow, i.e., 16.11.2023.

Let notice be served upon the respondent nos. 2, 3 & 4 by registered post with A/D.

Steps by tomorrow, i.e., 16.11.2023.

JUDGE

Comparing Assistant