

GAHC010207482019



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

Case No. : WP(C)/6390/2019

ABHIJIT BHAGAWATI
S/O- LT RAJANI BHAGAWATI, R/O- KOCHGAON, OPP. BORA NURSING
HOME, BISWANATH CHARIALI- 784176, DIST- BISWANATH CHARIALI,
ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, TOURISM
DEPTT., DISPUR, GHY-6

2:PRINCIPAL SECRETARY
TOURISM DEPTT.
GOVT. OF ASSAM
JANATA BHAWAN
D-BLOCK
THIRD FLOOR DISPUR
GHY-5
DIST- KAMRUP (M)
ASSAM

3:THE ASSAM TOURISM DEVELOPMENT CORPORATION LTD.
ASOM PARYATAN BHAWAN
4TH FLOOR
A.K.AZAD ROAD
PALTAN BAZAR
GHY-8

4:THE MANAGING DIRECTOR
THE ASSAM TOURISM DEVELOPMENT CORPORATION LTD.
ASOM PARYATAN BHAWAN
4TH FLOOR

A.K.AZAD ROAD
PALTAN BAZAR
GHY-8
DIST- KAMRUP (M)
ASSAM

5:THE GENERAL MANAGER
THE ASSAM TOURISM DEVELOPMENT CORPORATION LTD.
ASOM PARYATAN BHAWAN
4TH FLOOR
A.K.AZAD ROAD
PALTAN BAZAR
GHY-8
DIST- KAMRUP (M)
ASSAM

6:THE TOURIST INFORMATION OFFICER
THE ASSAM TOURISM DEVELOPMENT CORPORATION LTD.
TEZPUR
SONITPU

Advocate for the Petitioner : MR. M SARMA, MRS R DEKA

Advocate for the Respondent : GA, ASSAM, L BAGCHIE(R3,4,5,6),MR M KALITA(R3,4,5,6),G
TALUKDAR(R3,4,5,6),MRS P BARUA(R3,4,5,6)

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 18.03.2026

Heard Mr. M Sarma, learned counsel for the petitioner. Also heard Mrs. P Barua, learned standing counsel, CGC and Ms. M Barman, learned standing counsel, Assam Tourism Development Corporation Ltd (ATDC), appearing for their respective respondents.

2. Mr. M Sarma, learned counsel for the petitioner, with regard to the allegations leveled against him by the authorities of the Assam Tourism Development Corporation Ltd (ATDC), including the institution of the FIR, has submitted that while such allegations have been made, the authorities of the Assam Tourism Development Corporation Ltd (ATDC) have not

brought on record any materials to demonstrate that the land over which the petitioner had constructed an Assam type house, which was finally demolished for the construction of the road and compensation paid to him, was allotted/reserved by the Government for the Assam Tourism Development Corporation Ltd (ATDC) authorities.

3. In view of the above submissions made by the learned counsel for the petitioner, Mrs. P Barua, learned standing counsel, CGC and Ms. M Barman, learned standing counsel, Assam Tourism Development Corporation Ltd (ATDC), prays that she be granted time till 21.04.2026 to bring on record materials to demonstrate that the land in question belongs to the Assam Tourism Development Corporation Ltd (ATDC) authorities and the same was duly allotted/reserved for it by the Government.

4. On filing of the said affidavit on or before 21.04.2026, Mr. M Sarma, learned counsel for the petitioner, is at liberty, to bring on record the rejoinder, thereto, on or before 28.04.2026.

5. Registry to list the matter again on 30.04.2026.

6. It is provided that in the event, the affidavit, as undertaken to be so brought on record on behalf of the Assam Tourism Development Corporation Ltd (ATDC) authorities, is not so brought on record, this Court, on the next date of listing, shall proceed to consider the issues arising, herein, basing on the materials already available on record.

JUDGE

Comparing Assistant