

GAHC010214262025



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

Case No. : WP(C)/5651/2025

MUNU NARZARY
S/O - DEBEN NARZARY, R/O - VILL- BARIKODANGA, PO - GERUA, IN THE
DISTRICT OF BAKSA, ASSAM - 781344.

VERSUS

STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, PANCHAYAT AND RURAL
DEVELOPMENT, DISPUR, GUWAHATI-781006.

2:PRINCIPAL SECRETARY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM
PIN- 783370.

3:MARKET SETTLEMENT COMMITTEE
BTC

REPRESENTED BY ITS CHAIRMAN
KOKRAJHAR
ASSAM-783370.

4:DISTRICT COMMISSIONER
BAKSA DISTRICT
BTC
ASSAM-781372.

5:BLOCK DEVELOPMENT OFFICER
DHAMDHAMA DEVELOPMENT BLOCK
BAKSA
ASSAM-781327.

6:SANSUMA BORO
S/O- LAKHESWAR BORO
R/O- VILL.- ADLA
PO BANGANPARA
P.S. BARBARI
DIST. BAKSA
ASSAM-781344

For the Petitioner(s) : Mr. K. Sarma, Advocate
For the Respondent(s) : Ms. U. Das, Addl. Sr. Govt. Advocate
Ms. R.B. Bora, Standing Counsel
Ms. N. Bora, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 25.09.2025

Issue notice making it returnable on 22.10.2025.

2. Ms. N. Bora, the learned Standing Counsel, P&RD Department appears on behalf of the respondent No. 1; Ms. R.B. Bora, the learned Standing Counsel, BTC appears on behalf of the respondent Nos. 2, 3 and 5 and Ms. U. Das, the learned Additional Senior Government Advocate appears on behalf of the respondent No. 4 and accepts notice.
3. Extra copies of the writ petition be served upon them during the course of the day.
4. As regards the respondent No. 6, the petitioner is directed

to affect service by way of Speed Post by 26.09.2025.

5. In addition to that, the petitioner is directed to affect service upon the respondent No. 6 by way of Dasti routed through the Registry of this Court and file an affidavit of service on or before the next date.

6. The case of the petitioner herein is that a Notice Inviting Tender was issued on 08.05.2025 for settlement of various Markets/Go-hats/Parkings/Par Ghats/Ferries/Cattle Pounds, etc. for the year 2025-26. The instant writ petition pertains specifically to the settlement of the Polachi Bi Weekly Market. The petitioner herein participated in the said tender process along with 2 (two) other bidders. The petitioner was the second highest bidder and had duly submitted all necessary documents, as is evident from Annexure-3 to the writ petition, which is the comparative statement. However, the Respondent Authorities had granted the settlement in favour of the respondent No. 6 vide the communication dated 01.08.2025. It is the case of the petitioner that the respondent No. 6 was favoured for vested reasons by the Respondent Authorities, though the respondent No. 6 had quoted a much lesser amount than that of the petitioner.

7. Considering the above, it is the opinion of this Court that

the petitioner is entitled to certain interim directions.

8. Accordingly, this Court till the next date stays the communication dated 01.08.2025 whereby the respondent No. 6 has been settled with the Polachi Bi Weekly Market under Dhamdhama Development Block, Baganpara for the year 2025-2026.

9. The respondents are directed to bring on record their stand by filing the affidavits on or before 15.10.2025.

10. The records also be produced on the next date so that an attempt can be made to dispose of the instant writ petition.

11. List accordingly.

JUDGE

Comparing Assistant