

GAHC010217052024



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

**Case No. : WP(C)/5324/2024**

RATUL CHANDRA ROY  
R/O- VILL.- BOALIMARI, P.O. ABHAYAPURI, DIST. BONGAIGAON, ASSAM,  
PIN- 783384.

VERSUS

THE STATE OF ASSAM AND 8 ORS  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
DISPUR, GHY-781006.

2:THE DEPARTMENT OF TOURISM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY  
ASSAM STATE TOURISM DEPARTMENT  
GOVT. OF ASSAM  
DISPUR  
GHY-781006.

3:THE DIRECTOR OF TOURISM  
DIRECTORATE OF TOURISM  
GOVT. OF ASSAM  
STATION ROAD  
GHY-781001.

4:THE ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED  
REPRESENTED BY ITS MANAGING DIRECTOR  
ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED  
ASSAM PARYATAN BHAWAN  
AK AZAD ROAD  
PALTANBAZAR  
GHY781008.

5:GENERAL MANAGER

ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED  
ASSAM PARYATAN BHAWAN  
AK AZAD ROAD  
PALTANBAZAR  
GHY-781008.

6:DISTRICT COMMISSIONER  
BONGAIGAON  
ASSAM-783384.

7:ADDITIONAL DISTRICT COMMISSIONER  
BONGAIGAON  
ASSAM-783384.

8:SUB-DIVISIONAL OFFICER (C) NORTH SALMARA AND CHAIRMAN  
KKEP DEVELOPMENT COMMITTEE  
DIST. BONGAIGAON  
ASSAM  
PIN- 783384.

9:MEMBER SECRETARY  
KKEP DEVELOPMENT COMMITTEE  
DIST- BONGAIGAON  
ASSAM-783384

Advocate for the petitioner(s): Mr. R Sekhar

Advocate for the respondent(s): Ms. S Baruah  
Junior Government Advocate, Assam  
Ms. P Baruah for respondent Nos.2 to 5

**B E F O R E**  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**18.11.2024**

Heard Mr. R Sekhar, the learned counsel appearing on behalf of the petitioner.

2. Issue notice making it returnable on 22.11.2024.

3. Ms. S Baruah, the learned Junior Government Advocate, Assam appears on behalf of respondent Nos.1, 6, 7 and 8 and Ms. P Baruah, the learned counsel appears on behalf of respondent Nos. 2 to 5.

4. For the present, this Court is not inclined to issue notice upon the respondent No.9.

5. Taking into account that the respondent Nos. 1 to 8 are duly represented, extra copies of the writ petition be served upon them during the course of the day.

6. It is noticed that this Court had sought for instruction(s) vide order dated 23.10.2024, but the said instruction(s) have not yet been placed before this Court.

7. The issue involved in the instant case pertains to a notice inviting tender being floated by the respondent No.2 for operation and management of the contract for running the various properties for a period of 5 years. Amongst the properties included one property, namely, Koya Kujia Eco Park. The petitioner herein was the successful bidder and in pursuance thereto, an agreement was entered into on 29.05.2023 by and between the respondent No.2 and the petitioner.

8. It is the specific case of the petitioner that in terms of the agreement, the petitioner was to be handed over 14 components of the project, which included

the parking as well as the boundary wall with gate. It is the further case of the petitioner that the petitioner had been handed over only 12 components, but without the components i.e. parking and the boundary wall with gate and it is difficult for the petitioner to operate and maintain the Eco Park in question. It is also the case of the petitioner that the petitioner had submitted a representation to the authorities, but to no avail.

9. Ms. P Baruah, the learned counsel for the respondent Nos.2 to 5 submits that upon receipt of the instruction(s) she had already prepared the affidavit and sent it for vetting and the same would be filed on or before 21.11.2024.

10. Ms. S Baruah, the learned Junior Government Advocate shall also obtain the instruction(s) in the matter and place it before this Court on the next date fixed.

11. List again on 22.11.2024.

**JUDGE**

**Comparing Assistant**