

GAHC010220222012



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

Case No. : PIL/78/2012

PRODYUT KUMAR BORA
S/O SRI LAKSHMIKANTA BORA R/O TILIKIAM, BEZGAON P.S. PULIBOR,
DIST. JORHAT, ASSAM.

VERSUS

THE STATE OF ASSAM AND 8 ORS
REP. HEREIN BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
SACHIVALAYA, DISPUR, GUWAHATI- 781006.

2:THE SECRETARY TO THE GOVT. OF ASSAM

SACHIVALAYA
DISPUR
GUWAHATI- 781006.

3:THE SECRETARY TO THE GOVT. OF ASSAM
WELFARE OF PLAINS TRIBES AND BACKWARD CLASS DEPT.
SACHIVALAYA
DISPUR
GUWAHATI- 781006.

4:THE DEPUTY COMMISSIONER

KAMRUP METRO.

5:THE DEPUTY COMMISSIONER
KAMRUP
NORTH GUWAHATI.

6:THE DEPUTY COMMISSIONER

DHEMAJI
DIST. DHEMAJI.

7:THE DEPUTY COMMISSIONER
TINSUKIA
DIST. TINSUKIA.

8:THE DEPUTY COMMISSIONER
GOALPARA
DIST. GOALPARA.

9:THE DEPUTY COMMISSIONER
MORIGAON
DIST. MORIGAON.

10:MARKUSH BASUMATARY
S/O- LT. RAJENDRA BASUMATARY
R/O VILL.- SOUTH GANDABIL
V.C.D.C. AMGURI
P.S.- AMGURI
DIST.- CHIRANG
BTAD
ASSAM.

11:THE B.T.C.
REP. BY THE PRINCIPAL SECY.
B.T.C.
KOKRAJHAR
DIST.- KOKRAJHAR
ASSAM.

12:THE PRINCIPAL SECY.
B.T.C.
KOKRAJHAR
ASSAM.

13:NOOR MAHAMMAD
SON OF LATE ABDUL KARIM
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

14:MUSLEM UDDIN
SON OF LATE JUBED ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON

ASSAM.

15:MAHAMMAD ALI
SON OF LATE SADAR ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

16:JAHED ALI
SON OF LATE MAJAM ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

17:NAZRUL ISLAM
SON OF LATE OCHAM ALI
RESIDENT OF VILLAGE - AMARAGURI
P.O. JALAKIA BARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

18:ANSARUL ISLAM
SON OF LATE IZZAT ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

19:NUR UDDIN

SON OF LATE IZZAT ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

20:RAMJAN ALI
SON OF LATE JANAB ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI
P.S. LAHORIGHAT

DISTRICT - MORIGAON
ASSAM.

21:MD. KHAJAL UDDIN
SON OF LATE JAHUR ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

22:JABED ALI
SON OF LATE MANNAS ALI
RESIDENT OF VILLAGE - BARBARI
P.O. BARBARI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

23:ABDUL ZALIL CHOUDHURY
SON OF LATE FAIZUDDIN AHMED
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

24:FAKAR UDDIN
SON OF LATE ABDUL HALIM
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

25:SAFIR UDDIN
SON OF LATE ABDUL JABBAR
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

26:RUHUL AMIN
SON OF LATE SAFIR UDDIN
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

27:AKTAR HUSSAIN

SON OF HASMOT ALI
RESIDENT OF VILLAGE AND P.O. CHATIENTALI
P.S. LAHORIGHAT
DISTRICT - MORIGAON
ASSAM.

28:SRI JOHN DAS
S/O SRI NAKUL CHANDRA DAS
VILL.- UZIRBARI
P.O.-THAMNA
PIN-781377
DISTRICT - BAKSA (BTAD)
ASSAM.

29:SRI MADHAB RAJBONSHI
SON OF SRI ANORAM RAJBONSHI
VILLAGE AND P.O.- MERKUCHI
P.S.- BARAMA
DISTRICT- BAKSA
ASSAM
PIN-781346

Advocate for the Petitioner : P K GOSWAMI
Advocate for the Respondent : MR.U S BORA

Linked Case : WP(C)/4901/2021

M/S SUPERLITE ACC BLOCKS INDUSTRY
A REGD. PARTNERSHIP FIRM HAVING ITS OFFICE AT SHANTI SADAN
ALOK PRESS BYE LANE
NARAYAN NAGAR
KUMARPARA
GHY-09 WITH ITS FACTORY/INDUSTRIAL SHED AT VILL- SARUTARI
SONAPUR
KAMRUP (M)
REP. BY ITS PARTNER
SHRI MUKUL S. LAMARE
AGE 52 YEARS
S/O- JITEN SAHU
R/O- S.K. TOWAR
NEAR N.E. TV
A.K. AZAD ROAD
REHABARI
P.S. PALTANBAZAR
GHY-08
DIST.- KAMRUP (M)

ASSAM

VERSUS

THE STATE OF ASSAM AND 12 ORS
REP. BY COMM. AND SECY.
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GHY

2:THE DY. COMMISSIONER
KAMRUP (M) DISTRICT
GHY-01 (LAND SETTLEMENT BRANCH)
3:THE ADDL. DY. COMMISSIONER
KAMRUP (M) DISTRICT
GHY-01 (LAND SETTLEMENT BRANCH)

4:THE CIRCLE OFFICER
SONAPUR REVENUE CIRCLE
SONAPUR
KAMRUP (M)
ASSAM- 782402
5:SOBITA RONGPHARPI
D/O- KARDOM KE AAPI
W/O- SRI AJAY MAHATO
R/O- VILL- SARUTARI
P.S. SONAPUR
DIST.- KAMRUP (M)
6:DEPTT. OF INDUSTRY AND COMMERCE
GOVT. OF ASSAM
DISPUR
GHY-5

REP. BY ITS COMM. AND SECY.
7:DISTRICT INDUSTRIES AND COMMERCE CENTER (DIC)
KAMRUP
BAMUNIMAIDAM
GHY-21
REP. BY ITS GENERAL MANAGER
8:ASSAM POWER DISTRIBUTION COMPANY LTD. (APDCL)
BIJULEE BHAWAN
5TH FLOOR
PALTANBAZAR
GHY-01

REP. BY THE CHIEF GENERAL MANAGER (D)
APDCL (LAR)
9:MINISTRY OF COMMERCE AND INDUSTRY
GOVT. OF INDIA
NEW DELHI- 110001 REP. BY ITS SECY. TO THE GOVT. OF INDIA

10:NORTH EASTERN DEVELOPMENT FINANCIAL INSTITUTION (NEDFI)
HAVING ITS OFFICE AT SANKET VIHAR
SORUMOTORIA

G.S.ROAD

GHY-06

ASSAM

REP. BY ITS GENERAL MANAGER

11:PUNJAB NATIONAL BANK

A NATIONALIZED BANK REP. BY ITS CHIEF GENERAL MANAGER

FANCY BAZAR BRANCH

LIC BUILDING

S.S.ROAD

GHY-01

12:CHIEF INSPECTOR OF FACTORIES

ASSAM

NEAR NPS INTERNATIONAL SCHOOL LANE

BETKUCHI

LALUNG GAON

LOKHRA

GHY

ASSAM

13:POLLUTION CONTROL BOARD.

ASSAM

Advocate for : MR. K N CHOUDHURY

Advocate for : SC

APDCL appearing for THE STATE OF ASSAM AND 12 ORS

Linked Case : PIL/22/2019

THE NORTH EAST HERITAGE FOUNDATION AND ANR.

H.O. WARD NO.8

KOKRAJHAR TOWN

P.O. KOKRAJHAR

P.S. AND DIST- KOKRAJHAR

ASSAM- 783370

REP. BY ITS DIRECTOR

SHRI RAJKUMAR PRITHVIRAJ NARAYAN DEV MECH

AGED ABOUT 21 YEARS

S/O- PRADIP NARAYAN DEV MECH

PERMANENT R/O- GOGLAPARA

BASUGAON WARD NO. 1

P.O. AND P.S. BASUGAON

DIST- CHIRANG

BTAD

ASSAM- 783372

2: THULUNGA BASUMATARY
S/O- DASARAT BASUMATARY
EXECUTIVE DIRECTOR
NORTH EAST HERITAGE FOUNDATION
PERMANENT R/O- CHANDRAPUR
P.O. HALTUGAON
P.S. AND DIST- KOKRAJHAR
ASSAM- 783370
VERSUS

THE UNION OF INDIA AND 10 ORS.
TO BE REP. BY THE SECY.
MINISTRY OF HOME AFFAIRS
INDIA
NORTH BLOCK
NEW DELHI- 110001

2:THE CHIEF ELECTION COMMISSIONER
ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI- 110001

3:THE STATE OF ASSAM
TO BE REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GHY-6

4:THE CHIEF ELECTORAL OFFICER
ASSAM
DISPUR
GHY-6

5:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GHY-6

6:THE BODOLAND TERRITORIAL COUNCIL (BTC)
REP. BY THE PRINCIPAL SECY.
BTC
KOKRAJHAR
ASSAM- 783370

7:THE SECRETARY
LAND REVENUE AND DISASTER MANAGEMENT
BTC
KOKRAJHAR
ASSAM- 783370

8:THE DY. COMMISSIONER
KOKRAJHAR
P.O. KOKRAJHAR

ASSAM- 783370
9:THE DY. COMMISSIONER
CHIRANG
P.O. KAJALGAON
ASAM- 783385
10:THE DY. COMMISSIONER
BAKSA
P.O. MUSHALPUR
ASSAM- 781377
11:THE DY. COMMISSIONER
UDALGURI
P.O. UDALGURI
ASSAM- 784509

Advocate for : MR. N H BARBHUIYA
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 10 ORS.

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 27.06.2023

These matters will require prolonged hearing.

Pleadings on behalf of some parties are still awaited and may be filed by next week. We make it clear that no further time shall be granted for filing pleadings in these cases.

The interim order operating in WP(C) 4901/2021 shall continue till the next date of listing.

As prayed for, list these matters for final disposal on **24.08.2023**.

JUDGE

CHIEF JUSTICE

Comparing Assistant