

GAHC010222842024



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

Case No. : WP(C)/5587/2024

MITHILA KANU
SRI RATAN LAL KANU @ RATAN KANU, VILL- NUTAN BAZAR, P.O.
NARSINGPUR, P.S. DHOLAI DIST.- CACHAR, ASSAM, PIN- 788115

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,
GUWAHATI-06

2:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
PANJABARI
GUWAHATI- 37

3:THE DEPUTY COMMISSIONER
CACHAR
SILCHAR
DIST. CACHAR
ASSAM- 788001

4:THE BLOCK DEVELOPMENT OFFICER CUM EXECUTIVE OFFICER
NARSINGPUR ANCHALIK PANCHAYAT
DIST.- CACHAR
ASSAM- 788116

5:THE PRESIDENT
NARSINGPUR ANCHALIK PANCHAYAT
SONAI
DIST.- CACHAR
ASSAM

PIN- 788116

6:THE PRESIDENT
CLEVER HOUSE GAON PANCHAYAT
SONAI
CACHAR
ASSAM- 788116

7:THE SECRETARY
CLEVER HOUSE GAON PANCHAYAT
SONAI
CACHAR
ASSAM- 78811

Advocate for the Petitioner : MR M J QUADIR, MS S AHMED,MR. A K HANNAN

Advocate for the Respondent : GA, ASSAM, SC, P AND R.D.

Linked Case : WP(C)/2980/2020

MITHILA KANU
W/O- SRI RATAN LAL KANU @ RATAN KANU
VILL- NUTAN BAZAR
P.O. NARSINGPUR
P.S. DHOLAI
DIST.- CACHAR
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REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT.
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Advocate for : MR M J QUADIR
Advocate for : SC
PNRD appearing for THE STATE OF ASSAM AND 6 ORS.

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

11.11.2024

Heard Mr. M. J. Quadir, learned counsel for the petitioner.

The petitioner's five years lease for Bhit No. 17 in Nutan Bazar ended on 28.04.2021. The petitioner has filed the present writ petition on 22.10.2024, i.e.

3 and ½ years after the expiry of the petitioner's lease period, praying for an extension of the lease period.

It appears that there has been considerable delay on the part of the petitioner in praying for extension of the lease period, which expired in April, 2021.

The petitioner has also put to challenge the eviction letter dated 06.07.2020 in WP(C) 2980/2020 and this Court, vide interim order dated 07.08.2020, directed the State respondents not to disturb the possession of the petitioner in respect of Bhit No. 17, until further orders.

It appears that the petitioner is still in possession of Bhit No. 17 beyond the five years' period and as such, it appears that WP(C) 2980/2020 is infructuous.

Issue notice, returnable in four weeks.

Mr. S. Dutta, learned counsel accepts notice on behalf of the respondent Nos. 1, 2, 4 & 7 and submits that there is no President of the Narsingpur Anchalik Panchayat and Clever House Gaon Panchayat. Mr. K. Gogoi, learned counsel accepts notice on behalf of the respondent No. 3.

List the matters after **4 (four) weeks**, to enable the respondents' counsels to file affidavit.

JUDGE

Comparing Assistant