

GAHC010229282023



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

**Case No. : WP(C)/6133/2023**

VIKASH AGARWAL  
R/O FLAT NO. C-1, DURGA RESIDENCY, BACK SIDE OF MLA HOSTEL, P.S.-  
DISPUR, GUWAHATI-781005

VERSUS

THE STATE OF ASSAM AND 8 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, REVENUE AND DISASTER MANAGEMENT, SECRETARIAT,  
DISPUR, GUWAHATI, PIN-781006

2:THE ADDITIONAL DEPUTY COMMISSIONER AND CEO  
DISTRICT DISASTER MANAGEMENT AUTHORITY  
KAMRUP (M)  
GUWAHATI-781001

3:THE CIRCLE OFFICER  
DISPUR REVENUE CIRCLE  
DISPUR  
PIN-781028

4:THE DIRECTOR OF SOIL CONSERVATION  
R.G. BARUAH ROAD  
GUWAHATI-781005

5:THE DIVISIONAL FOREST OFFICER  
KAMRUP EAST DIVISION  
BASISTHA  
GUWAHATI-781039

6:THE CHAIRMAN  
GUWAHATI MUNICIPAL DEVELOPMENT CORPORATION

DIST-KAMRUP (M)

7:THE RANGE OFFICER  
GUWAHATI S.C. RANGE  
SOUTH SARANIA  
GHY-07

8:THE OFFICER-IN-CHARGE  
JORABAT OUT POST  
JORABAT  
GUWAHATI

9:BADAN CHANDRA BORA  
S/O RABIRAM BORA  
R/O 8TH MILE  
AMERIGOG  
P.O.-KHANAPARA  
P.S.-BASISTHA (OUT POST JORABAT)  
DIST- KAMRUP (M)  
PIN-781023  
ASSA

**Advocate for the Petitioner** : MR. B K DAS

**Advocate for the Respondent** : SC, REVENUE

**BEFORE  
HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 16/10/2023**

Heard Mr. B.K. Das, learned counsel for the writ petitioner. Perused the averments made in the writ petition.

Mr. Das submits that although his client is ready and willing to construct a guard wall as per the direction of the District Disaster Management authorities, yet, he has been obstructed for doing so by some persons with vested interest.

Ms. N. Bordoloi, learned Standing Counsel, Revenue and DM Department, Assam, submits that another writ petition being WP(C) 118/2022 is pending before this Court on the same subject matter, which is fixed on 09/11/2023 and, therefore, this matter be tagged

together.

In view of the above, issue notice of motion returnable on 09/11/2023.

Since Ms. N. Bordoloi, learned Standing Counsel, Revenue and DM Department, Assam, has appeared and accepted notice on behalf of the respondent no.1, Ms. M. Barman, learned Government Advocate, Assam, has accepted notice on behalf of the respondent nos. 2, 3 & 8, Ms. R.S. Deuri, learned counsel has accepted notice on behalf of the respondent no. 4, Mr. D. Gogoi, learned Standing Counsel, Forest Department, Assam, has accepted notice on behalf of the respondent nos. 5 & 7 and Ms. S. Chutia, learned Standing Counsel, GMC, has accepted notice on behalf of the respondent no. 6, service of notice upon the respondent nos. 1 to 8 is complete. However, extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel within three days from today.

Petitioner to take steps for service of notice upon the respondent nos. 9 by registered post with A/D within three days from today.

Heard on the prayer of interim relief.

The said prayer will be considered on the returnable date.

Registry to list this case along WP(C) 118/2022 again on 09/11/2023, as a fixed item.

**JUDGE**

*sukhamay*

**Comparing Assistant**