

GAHC010233812023



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

Case No. : WP(C)/6116/2023

M/S SAMIM AKHTER CHOUDHURY
A PROPRIETORSHIP FIRM HAVING ITS OFFICE AT SIX MILE, PANJABARI
ROAD,
HOUSE NO. 29, GUWAHATI- 781022, DISTRICT- KAMRUP(M), ASSAM,
REPRESENTED BY ITS SOLE PROPRIETOR,
SRI SAMIM AKHTER CHOUDHURY, AGED ABOUT 53 YEARS,
SON OF LATE JALIL AHMED CHOUDHURY,
RESIDENT OF HOUSE NO. 29, SIX MILE,
PANJABARI ROAD, GUWAHATI- 781022,
DISTRICT- KAMRUP(M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 9 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
FOREST AND ENVIRONMENT DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE DIVISIONAL FOREST OFFICER
GOLAGHAT FOREST DIVISION
DISTRICT- GOLAGHAT
ASSAM
PIN- 785621.

3:THE DIVISIONAL FOREST OFFICER
KARBI ANGLONG EAST DIVISION

DIPHU
DISTRICT- KARBI ANGLONG

ASSAM
PIN- 782460.

4:THE NUMALIGARH REFINERY LIMITED
A GOVERNMENT OF INDIA UNDERTAKING

HAVING ITS REGISTERED OFFICE AT 122 A
G.S. ROAD
CHRISTIAN BASTI

GUWAHATI- 781005
REPRESENTED BY ITS MANAGING DIRECTOR.

5:THE CHAIRMAN
NUMALIGARH REFINERY LIMITED
122A
G.S. ROAD
CHRISTIAN BASTI

GUWAHATI
KAMRUP(M)
ASSAM

PIN- 781005.

6:THE MANAGING DIRECTOR
NUMALIGARH REFINERY LIMITED
122A
G.S. ROAD
CHRISTIAN BASTI

GUWAHATI
KAMRUP(M)
ASSAM

PIN- 781005.

7:THE GENERAL MANAGER (COMMERCIAL)
NUMALIGARH REFINERY LIMITED
NRL COMPLEX
NUMALIGARH
DISTRICT- GOLAGHAT

ASSAM
PIN- 785699.

8:THE GENERAL MANAGER (PROJECT)
NUMALIGARH REFINERY LIMITED
NRL COMPLEX
NUMALIGARH
DISTRICT- GOLAGHAT

ASSAM
PIN- 785699.

9:THE HEAD (PROJECT-COMMERCIAL)
NUMALIGARH REFINERY LIMITED
NRL COMPLEX
NUMALIGARH
DISTRICT- GOLAGHAT

ASSAM
PIN- 785699.

10:THE RESIDENT CONSTRUCTION MANAGER
ENGINEERS INDIA LIMITED CUM ENGINEER IN-CHARGE

DCU REVAMP PROJECT
NRL

NUMALIGARH
DISTRICT- GOLAGHAT

ASSAM
PIN- 785699

Advocate for the Petitioner : MR. R SARMA, MR. K MOHAMMED,MS S SHARMA,MR. D DAS SR. ADV,MS. S. BISWAS

Advocate for the Respondent : SC, FOREST, MR. M GOGOI (R-4 to 9),MR. N DEKA (R-4 to 9),SC, NRL

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 26.08.2025

Heard Mr. D. Das, learned Senior Counsel assisted by Mr. K. Mohammed, learned counsel for the petitioner. Also heard Mr. R. R. Gogoi, learned Standing Counsel, Forest Department for the respondent Nos. 1 to 3 and Mr. N. Deka and Mr. M. Gogoi, learned counsel for the respondent Nos. 4 to 9.

Mr. Das, learned Senior Counsel submits that in view of the stand of the

Numaligarh Refinery Limited (NRL) to the effect that the petitioner could not place any material to show the source of collection of the forest materials, for which the petitioner is not liable to pay the forest royalty and therefore, further 2 (two) weeks time may be granted so as to enable the petitioner to place on record the source of collection of the forest materials as the petitioner is not bound to pay the forest royalty as the source of collection is from the 2nd party, who had already paid the forest royalty.

Although, this Court, considering the issue involved in the matter, being the deduction of amount from the running bills of the petitioner as royalty, had made an observation on 16.07.2025, that an attempt may be made to dispose of the writ petition, considering that the petitioner is required to place on record the source of collection of the forest materials and as agreed to by the learned counsel for the respondents, let this matter be listed after 2 (two) weeks.

In the meantime, the petitioner may bring on record the source of collection of the forest materials by way of an affidavit.

List this matter **after 2 (two) weeks.**

JUDGE

Comparing Assistant