

GAHC010237192022



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

Case No. : WP(C)/7447/2022

BINOY KUMAR ARJYA AND 5 ORS
S/O. GIRIN ARJYA, R/O. BOLODMARI TILAPARA PHE ROAD, P.O. AND P.S.
BOLODMARI, DIST. GOALPARA-783121, ASSAM.

2: MOZAFOR ALI
S/O. LT. MOHAMMAD ALI
R/O. BOLODMARI TILAPARA PHE ROAD
P.O. AND P.S. BOLODMARI
DIST. GOALPARA-783121
ASSAM.

3: HASSAN ALI
S/O. LT. JOMER ALI
R/O. BOLODMARI TILAPARA PHE ROAD
P.O. AND P.S. BOLODMARI
DIST. GOALPARA-783121
ASSAM.

4: PULIN GHOSH
S/O. PRAFULLA KAR GHOSH
VILL. GOALTULI
P.O. AND P.S. GOALPARA
DIST. GOALPARA-781321.

5: WAZED ALI

S/O. LT. MONSER ALI
R/O. BOLODMARI TILAPARA PHE ROAD
P.O. AND P.S. BOLODMARI
DIST. GOALPARA-783121
ASSAM.

6: BASER ALI
S/O. LT. FOYEZ ALI

R/O. BOLODMARI TILAPARA PHE ROAD
P.O. AND P.S. BOLODMARI
DIST. GOALPARA-783121
ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
URBAN DEVELOPMENT DEPTT., DISPUR, GUWAHATI-781006.

2:THE DIRECTOR OF ADMINISTRATION

ASSAM
DIRECTORATE OF MUNICIPAL ADMINISTRATION
DISPUR
GUWAHATI-781006
ASSAM.

3:THE DEPUTY COMMISSIONER

GOALPARA DISTRICT
GOALPARA-783101
ASSAM.

4:THE GOALPARA MUNICIPAL BOARD

GOALPARA-783101
DIST. GOALPARA
ASSAM.

5:THE EXECUTIVE OFFICER

GOALPARA MUNICIPAL BOARD
GOALPARA-783101
ASSAM.

6:THE WARD COMMISSIONER

WARD NO. 18
GOALPARA MUNICIPAL BOARD
GOALPARA
ASSAM.

7:THE POLLUTION CONTROL BOARD

ASSAM
BAMUNIMAIDAN

GUWAHATI-784021
REP. BY ITS MEMBER SECRETARY

Advocate for the Petitioner : MR. B D KONWAR SR. ADV.

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

21.11.2022

Heard Mr. B.D. Konwar, learned Senior Counsel for the petitioners, who submits that the Faecal Sludge Treatment Plant being constructed by the Goalpara Municipal Board is an environmental hazard, inasmuch as, the bad odour that is going to come out from the plant would affect the persons living adjacent to the said plant. He also submits that the site selection for the Faecal Sludge Treatment Plant is not in terms of the Faecal Sludge Management Rules as well as Solid Waste Management Rules, 2016.

Issue Notice returnable in 2 (two) weeks.

Mr. K. Gogoi, learned counsel accepts notice on behalf of the respondent nos.1, 2 & 3 and Mr. H. Talukdar, learned counsel appearing on behalf of Mr. S. Barua, learned Standing Counsel for the Pollution Control Board accepts notice for the respondent no.7.

Petitioners to take steps for service of notice upon the respondent nos.4, 5 & 6 by registered post with AD within 2 (two) days.

In addition to the above, the petitioners are also allowed to serve notice by way of *dasti* service on the respondent nos.4, 5 & 6 within 10 (ten) days and

file affidavit of service thereafter.

List the matter on 06.12.2022.

JUDGE

Comparing Assistant