

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 SUMAN SHYAM**

ORDER

Date : 04-10-2023

Heard Mr. J. Singh, learned counsel for the writ petitioner. Also heard Mr. K. Gogoi, learned counsel appearing for the respondent No. 4 and Mr. N. Goswami, learned counsel appearing for the respondent Nos. 1 to 3.

The issue involved in this writ petition pertains to setting up of a Faecal Sludge Treatment Plant. According to the petitioner the plant established in Goalpara is in violation of the requirement of Solid Waste Management Rules, 2016.

The respondents' counsel have, however, denied and disputed the said contention. Be that as it may, after hearing the submission of learned counsel for both the sides, this Court is of the opinion that this matter would call for deeper examination.

As such, admit the appeal.

Since the parties are already represented, no formal notice is required to be sent in this case.

Let this writ petition be listed for final hearing in the 2nd week of December, 2023.

Parties to exchange pleadings in the meantime, if so advised.

JUDGE

GS

Comparing Assistant