

GAHC010266172025



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

Case No. : WP(C)/6863/2025

SURAJIT RABHA
S/O- TANGUN RABHA, VILLAGE- GERUAPAR P.O.- DONGPAR DIST- BAKSA,
ASSAM- 781368.

VERSUS

THE BODOLAND TERRITORIAL COUNCIL AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, BODOLAND TERRITORIAL
COUNCIL (BTC), BODOLAND SECRETARIAT COMPLEX, BODOFA NWGWR,
KOKRAJHAR- 783371.

2: THE SECRETARY
BODOLAND TERRITORIAL COUNCIL (BTC)
ENVIRONMENT AND FOREST DEPARTMENT
BODOLAND SECRETARIAT COMPLEX
BODOFA NWGWR
KOKRAJHAR- 783371

3: THE ADDITIONAL CHIEF CONSERVATOR OF FOREST CUM CHD
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR- 783371

4: THE DIVISIONAL FOREST OFFICER
BAKSA FOREST DIVISION
DEPARTMENT
MUSHALPUR
BTR
BAKSA- 78137

For the Petitioner(s) : Mr. S. Hoque, Advocate

For the Respondent(s) : Mr. N. R. Sharma, SC, BTC

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 08.12.2025

Heard Mr. S. Hoque, the learned counsel appearing on behalf of the Petitioner and Mr. N. R. Sharma, the learned Standing counsel appearing on behalf of the BTC.

2. This Court vide an order dated 03.12.2025 issued notice asking the Senior Standing counsel of the BTC to produce instructions as regards the submissions so made on the said date. However, no instructions have been produced.

3. Mr. S. Hoque, the learned counsel appearing on behalf of the Petitioner submitted that taking into account that no instructions have been produced in spite of an opportunity being granted, some protection should be given to the Petitioner taking into account that the Petitioner is the highest bidder.

4. Considering the above and also taking into account the recommendations so made by the Additional Principal Chief Conservator of Forests cum CHD, Bodoland Territorial Council thereby approving the comparative statement whereby recommendation was given for granting of mining contract in favour of the Petitioner, it is therefore the opinion of this Court that the Petitioner is entitled to some interim directions.

5. Accordingly, this Court therefore directs the Respondent Authorities to maintain status quo as regards Barnadi Sand Mahal No.13 till the next

date.

6. List this matter again on 13.02.2026.

JUDGE

Comparing Assistant