

GAHC010271022022



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

Case No. : WP(C)/131/2023

NUR ABBAS AND 2 ORS
S/O.- LATE HAJI ABUAL HUSSAIN,
A RESIDENT OF VILLAGE- MILON NAGAR,
P.O.- BALADMARI, DIST.- GOALPARA,
ASSAM.

2: ASHRAFUL ISLAM MOLLIK
S/O- ANOWAR UZZAMAN MOLLIK
A RESIDENT OF VILLAGE- AMBARI
P.O. AMBARI BAZAR
DST.- GOALPARA
ASSAM.

3: AMANUL HOQUE
S/O- HABIBOR RAHMAN
A RESIDENT OF VILL.- BAMUNPARA
P.O.- MATIA
DIST.- GOALPARA
ASSAM

VERSUS

THE STATE OF ASSAM AND 9 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY,
GOVERNMENT OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
ASSAM, DISPUR, GUWAHATI-6. .

2: THE DEPUTY COMMISSIONER
GOALPARA
DIST.- GOALPARA
ASSAM.

3: THE ADDITIONAL DEPUTY COMMISSIONER

GOALPARA
DIST.- GOALPARA
ASSAM.

4:THE GOALPARA ZILLA PARISHAD
TO BE REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
GOALPARA ZILLA PARISHAD
DIST.- GOALPARA
ASSAM.

5:THE CIRCLE OFFICER
BALIJANA REVENUE CIRCLE
P.O.- BALIJANA
DIST.- GOALPARA
ASSAM.

6:THE BLOCK DEVELOPMENT OFFICER
BALIJANA DEVELOPMENT BLOCK
P.O.- BALIJANA
DIST.- GOALPARA
ASSAM.

7:THE KALYANPUR GAON PANCHAYAT
TO BE REPRESENTED BY ITS SECRETARY
VILL. KALYANPUR
P.O.- KALYANPUR
DIST.- GOALPARA
ASSAM.

8:THE SISHU SAROTHI
TO BE REPRESENTED BY ITS PRESIDENT
R.K. MISSION ROAD
BISHNU RABHA NAGAR
P.O.- BIRUBARI
GUWAHATI
DIST.- KAMRUP(M)
ASSAM.
PIN- 781016.

9:THE SISHU VIKASH KENDRA
GOALPARA
TO BE REPRESENTED BY ITS SECRETARY
BHALUKDUBI
P.O.- BALADMARI
DIST.- GOALPARA
ASSAM
PIN- 783121.

10:SHAILAN DAS
PRESIDENT OF THE SISHU VIKASH KENDRA
GOALPARA
C/O- KULODA CHARAN DAS
R/O- NAYAPARA
P.O.- AND DIST.- GOALPARA
ASSAM. PIN- 783101

Advocate for the Petitioner : MR. M A I HUSSAIN, MR. S H ZAMAN

Advocate for the Respondent : SC, P AND R.D., MR SAURADEEP DEY(R-10),MR S BORTHAKUR (R-10),R. CHAUHAN,MS G DAS,MRS. R S CHOWDHURY,MR. DITUL DAS (r-9,10),MR. R RAHMAN (r-9,10),GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE KARDAK ETE

O R D E R

Date : 30.04.2025.

Mr. N.K. Alam, learned counsel appearing on behalf of Mr. MAI Hussain, learned engaged counsel for the petitioners prays for adjournment of the matter stating that Mr. Hussain is indisposed today.

Ms. R.S. Choudhury, learned counsel for the respondent No.8 and Mr. S. Borthakur, learned counsel for the respondent Nos.9 & 10, referring to the affidavit filed on behalf of the respondent No.8, have submitted that the writ petitioners have approached this Court earlier by filing WP(C) No.5257/2022 and subsequently withdrawn the same with the liberty to approach the Civil Court and without disclosing the cause of withdrawal of the earlier writ petition, which amount to suppression of the materials facts, this writ petition has been filed.

Having considered the above, Mr. N.K. Alam, learned counsel is directed to

appraise the same to Mr. MAI Hussain, learned engaged counsel for the petitioners, although same appears to be within his knowledge.

List this matter on 07.05.2025.

JUDGE

Comparing Assistant