

GAHC010155372023



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

Case No. : WP(C)/4036/2023

MD. NASIR AHMED BARBHUIYA
S/O- LATE SIRAJ ALI BARBHUIYA,
VILLAGE- BERENGA PART-I,
P.O. AND P.S.- SILCHAR,
DIST.- CACHAR, ASSAM- 788005.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
LAND AND REVENUE DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE DEPUTY COMMISSIONER
CACHAR DISTRICT
SILCHAR
CACHAR
ASSAM- 788001.

3:THE DISTRICT REGISTRAR (REGISTRATION)
CACHAR
SILCHAR
ASSAM- 788001.

4:THE DEPUTY REGISTRAR (REGISTRATION)
CACHAR
SILCHAR
ASSAM- 788001

Advocate for the Petitioner : MR S H SIKDAR

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 24.07.2023

Heard Mr. S. Hoque, learned counsel for the petitioner. Also heard Ms. G. Hazarika, learned standing counsel for the respondent no.1, and Mr. M. Chetia, learned Govt. Advocate appearing for the respondent nos.2 to 4.

2. The petitioner is a Petition Writer having a license from the District Registrar (Registration), Cachar, Silchar bearing license no. 1 dated 31.03.1997.

3. As per the news article appearing in the "Dainik Jugasankha" edition dated 24.02.2022, the petitioner was found involve in corrupt practice and therefore, the concerned police are searching for him and in the meanwhile, the petitioner writer license of the petitioner was suspended. The learned counsel for the petitioner projects that the petitioner has not been served with any order of suspension of his license, but he has been restrained from appearing before the various officers under the District Registrar (Registration), Cachar, Silchar. Accordingly, by filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the suspension of his license and for restoring his license as petition writer.

4. In view of the order proposed to be passed, issuance of notice on the respondents is dispensed with.

5. It appears from the news report appearing in the "Dainik Jugasankha" that petition writer license of the petitioner was suspended, therefore, the

District Registrar (Registration), Cachar, Silchar, who is the competent authority would require the petitioner to be heard and bring the issue to its logical conclusion.

6. Accordingly, the Court is inclined to close this writ petition by allowing the petitioner to submit a representation before the District Registrar (Registration), Cachar, Silchar with appropriate prayers along with certified copy of this order. On receipt of the said representation, the District Registrar (Registration), Cachar, Silchar shall fix the date of hearing not later than 2 (two) weeks from the date of receipt of certified copy of this order and hear and dispose of the matter preferably within 2 (two) weeks thereafter because the livelihood of the petitioner is at stake.

7. As the livelihood of the petitioner is at stake, the petitioner shall be permitted to appear with his learned counsel on the hearing of his representation.

8. The writ petition stands disposed of with observations and directions as indicated above.

9. In the meanwhile, the learned Govt. Advocate shall transmit a downloaded copy of this order to the respondent no.3 to bring the order to the advance notice of the said authority.

JUDGE

Comparing Assistant