

GAHC010001732024



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

Case No. : WA/33/2024

1. GAMES VILLAGE RESIDENTS WELFARE SOCIETY AND 2 ORS.
- A SOCIETY REGISTERED UNDER THE SOCIETIES ACT, 1860, HAVING ITS
OFFICE AT B-2/002, GAMES VILLAGE, BORSOJAI, BASISTHA, P.S.-
BASISTHA, GUWAHATI- 781029, REPRESENTED BY ITS SECRETARY.

2: MANJU RANI DEKA
WIFE OF SURESH SAHARIAH
SECRETARY, GAMES VILLAGE RESIDENTS WELFARE SOCIETY
A-11/403, GAMES VILLAGE, BORSOJAI
BASISTHA, GUWAHATI- 781029.

3: ATUL CHANDRA KALITA
SON OF LATE KHAGEN KALITA
FORMER SECRETARY, GAMES VILLAGE RESIDENTS WELFARE SOCIETY
B-2/002, GAMES VILLAGE, BORSOJAI
BASISTHA, GUWAHATI- 781029

VERSUS

1. THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, GUWAHATI DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-6.

2: THE GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
STATFED BUILDING, BHANGAGARH, GUWAHATI- 781005
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER.

3: THE CHIEF EXECUTIVE OFFICER
GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
STATFED BUILDING, BHANGAGARH, GUWAHATI- 781005.

4: SIMPLEX INFRASTRUCTURES LIMITED
SIMPLEX HOUSE, 27 SHAKESPEARE SARANI
KOLKATA- 700017.

For the Appellant(s) : Mr. P.D. Nair, Advocate.
Mr. H. Rohman, Advocate.

For the Respondent(s) : Mr. D. Saikia, Advocate General, Assam assisted by Mr. S. Bora, Standing Counsel, GDD for respondent Nos.1 to 3.
: Mr. M.K. Choudhury, Senior Advocate assisted by Mr. R.J. Das, Advocate for respondent No.4.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

04.04.2024

(Vijay Bishnoi, CJ)

After attempting to argue the matter for quite some time, Mr. P.D. Nair, learned counsel for appellants submits that he does not want to press this appeal. However, he seeks liberty for the appellants to avail appropriate remedy under the civil law.

In view of above, the present appeal is dismissed with the liberty as prayed for.

If any such proceeding is initiated in accordance with law by the appellants before the Civil Court, the Civil Court shall decide the matter on merits.

JUDGE

CHIEF JUSTICE

Comparing Assistant