

GAHC010002232024



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

Case No. : WP(C)/74/2024

MD LUTFUR RAHMAN
S/O- LATE J. AHMED,
R/O- RAIDONGIA NA-KACHARI GAON,
P.O.- TIOKGHAT,
P.S.- SONARI,
DISTRICT- CHARAIDEO, ASSAM.
PIN- 785690.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
GENERAL ADMINISTRATION DEPARTMENT,
DISPUR, GUWAHATI.

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI.

3:THE DISTRICT COMMISSIONER
CHARAIDEO
SONARI.

4:THE ADDITIONAL DISTRICT COMMISSIONER (REVENUE)
CHARAIDEO
SONARI.

5:MD. MUHIBUR RAHMAN
S/O- LATE JAMIRUDDIN AHMED
R/O- WARD NO. 2
SONARI TOWN

P.O./ P.S.- SONARI
DISTRICT- CHARAIDEO
ASSAM
PIN

Advocate for the Petitioner : RUBI GOGOI
Advocate for the Respondent : SC, GAD

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

10.01.2024

1. The instant petition has been filed by the petitioner being aggrieved by the conduct of the Additional District Commissioner (Revenue), Charaideo in not furnishing the copy of the complaint as well as the order so passed in MC No. 04/2023 in respect of which certified copies were sought for as well as also being aggrieved by the action of Additional District Commissioner (Revenue), Charaideo in not allowing the petitioner to be represented by a counsel.
2. Ms. S. Baruah, learned counsel appearing on behalf of the Additional District Commissioner (Revenue), Charaideo submits that appropriate directions can be passed by this Court directing the concerned officials for providing the certified copies of the complaint petition along with the enclosures and the orders so passed in MC No. 4/2023.
3. This Court upon hearing the learned counsel appearing on behalf of the parties is of the opinion that if any proceedings has been initiated against the petitioner on the basis of the complaint then the

petitioner has a right to know as to the contents of such complaint as well as all such orders which have been passed in the said proceedings. This Court also does not see any bar under the provision of law thereby debarring the representation by a counsel.

4. Therefore, in view of the above, for the interest of justice, this Court disposes of the instant writ petition thereby directing the Additional District Commissioner (Revenue), Charaideo to furnish copies of the complaint in MC No. 4/2023 along with the enclosures filed therewith, if any, and the orders which have been passed. The said exercise be completed within ten days from the date of certified copy of the instant order is served upon Additional District Commissioner (Revenue), Charaideo which the learned counsel for the petitioner submits that she shall advice her client to do so on or before 19.01.2024.
5. This Court also directs the Additional District Commissioner (Revenue), Charaideo to permit the petitioner to be represented by a counsel in MC. No. 4/2023.
6. With the above, the instant writ petition stands disposed of.

JUDGE

Comparing Assistant