

GAHC010007162024



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

Case No. : Cont.Cas(C)/36/2024

CHAMPA DEKA
D/O- LATE KUHURAM DEKA,
R/O- VILLAGE TOPATOLI (PART),
P.S- KHETRI, DIST- KAMRUP (M), ASSAM

VERSUS

SUMIT SATTAWAN AND ANR
IAS,
DISTRICT COMMISSIONER , KAMRUP (M),
LICHUBAGAN, HENGRABARI, GUWAHATI, PIN-781036

2:PRIYANSHU BHARADWAJ
ACS
THE ADDITIONAL DISTRICT COMMISSIONER OF KAMRUP (M) CUM
INCHARGE OF LAND ACQUISITION BRANCH
OFFICE ADDRESS- LICHUBAGAN
HENGRABARI
GUWAHATI
PIN-78103

Advocate for the Petitioner : MR I HAQUE

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 19-01-2024

Heard Mr. I. Haque, learned counsel for the petitioner.

The petitioner had earlier preferred a contempt petition, Contempt Case (C) No. 714/2023 alleging non-compliance of the direction given in an order dated 11.08.2023 passed in a writ petition, WP(C) No. 7851/2022. The said contempt petition, Contempt Case (C) No. 714/2023 was allowed to be withdrawn as the petitioner, at that point of time, had impleaded the previous District Commissioner, Kamrup (Metro) as a party-respondent. As the present incumbent District Commissioner, Kamrup (Metro) was not made a party-respondent in Contempt Case (C) No. 714/2023, the petitioner was allowed to withdraw the contempt petition with a liberty to file afresh, by an Order dated 08.01.2024. After withdrawal of the said contempt petition, the petitioner ought to have brought the Order dated 11.08.2023 (supra) to the notice of the present incumbent District Commissioner, Kamrup (Metro), who has joined in the recently as it was brought to his notice. The petitioner herein has annexed a representation dated 16.08.2023, submitted before the previous District Commissioner, who had already been transferred. On 16.08.2023, the present incumbent Commissioner was not in office. Thus, it clearly transpires that the Order dated 11.08.2023 has not been brought to the notice of the present incumbent District Commissioner, Kamrup (Metro), who has been impleaded as party-respondent no. 1 in the present contempt petition. In such view of the matter, the Court is not inclined to entertain this contempt petition. Accordingly, same stands closed. Liberty, however, stands reserved to the petitioner to file afresh after due compliance of the formalities.

JUDGE

Comparing Assistant