

GAHC010008672015



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

Case No. : PIL/7/2015

RAJEEB KALITA
S/O LT. MADHAB CHANDRA KALITA, R/O VILL. and P.O. DHARAPUR, P.S.
AZARA, GHY-33, DIST- KAMRUP METRO, ASSAM

VERSUS

THE STATE OF ASSAM AND 16 ORS
REP. BY THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM,
REVENUE and DISASTER MANAGEMENT DEPTT., DISPUR, GHY-6

2:THE LEGAL REMEMBRANCE AND SECY.
TO THE GOVT. OF ASSAM
JUDICIAL DEPTT.
DISPUR
GHY-6

3:THE DY. COMMISSIONER CUM DISTRICT MAGISTRATE
KAMRUP METRO
ASSAM

4:THE COMMISSIONER OF POLICE
GUWAHATI
PANBAZAR-01
KAMRUP METRO
ASSAM

5:THE DY. COMMISSIONER OF POLICE
CENTRAL GUWAHATI POLICE CONTROL ROOM
GROUND FLOOR
ULUBARI
GHY-7
NEAR DIC CWR OFFICE

6:THE OFFICER IN CHARGE
LATASIL POLICE STATION
LATASIL
GUWAHATI-01
DIST- KAMRUP METRO
ASSAM

7:THE CIRCLE OFFICER
GUWAHATI REVENUE CIRCLE
GUWAHATI
DIST- KAMRUP METRO
ASSAM

8:THE REGISTRAR GENERAL
GUWAHATI HIGH COURT
GUWAHATI

9:THE REGISTRAR ADMN.
GUWAHATI HIGH COURT
GUWAHATI

10:THE EXECUTIVE ENGINEER
PWD
GUWAHATI BUILDING DIVISION NO.1
GUWAHATI
DIST- KAMRUP METRO
ASSAM

11:P.W.D. (ROADS)

THROUGH THE CHIEF ENGINEER
P.W.D. (ROADS)
ASSAM.

12:GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY(GMDA)
THROUGH THE CHIEF EXECUTIVE OFFICER
GMDA.

13:GUWAHATI MUNICIPAL CORPORATION (GMC)
THROUGH THE COMMISSIONER
GMC

14:MONMOHAN MEDHI
S/O LATE BIREN MEDHI
R/O HOUSE NO. 5
UPPER MALIBAGAN
KHARGULI GUWAHATI-781001

15:BIJU DAS
S/O LATE TULEN DAS
R/O HOUSE NO. 2
UPPER MALIBAGAN
KHARGULI GUWAHATI-781001

16:DHIREN CHANDRA MEDHI
S/O LATE BIREN MEDHI
R/O HOUSE NO. 5
UPPER MALIBAGAN
KHARGULI GUWAHATI-781001

17:DIBYAJYOTI BARUAH
S/O LATE BIREN MEDHI
R/O HOUSE NO. 5
UPPER MALIBAGAN
KHARGULI GUWAHATI-78100

For the petitioner : Mr. H.K. Das,
S.C., Gauhati High Court
Mr. N.K. Sarma, Advocate
For the respondents : Mr. D. Nath,
Sr. Govt. Advocate, Assam
Ms. N. Bordoloi, S.C., Revenue

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE SUMAN SHYAM

08-08-2024

(Vijay Bishnoi, C.J.)

1. This PIL petition is essentially filed by the petitioner seeking a direction to the respondent Nos.3, 4, 5 and 6 to take immediate effective steps to evict the encroachers from the land of the Gauhati High Court situated at Malibagan, Kharghuli (Guwahati) so as to facilitate construction of the proposed boundary

wall and the staff quarters (multistoried building) for the Stenographers and Grade-III and Grade-IV staff of the Gauhati High Court.

2. During the pendency of this PIL petition, the encroachers from the aforementioned land have already been evicted and the staff quarters have also been constructed pursuant to the directions given by this Court. However, for a long time, the boundary wall could not be constructed due to some obstructions raised by certain individuals and the road connecting the land also could not be constructed.

3. It appears that pursuant to the directions given by this Court, particularly, in the year 2024, the road has been constructed. Today, Mr. D. Nath, learned Senior Government Advocate has submitted the factual report wherein it is mentioned that the boundary wall of the land in question has also been constructed.

4. Mr. H.K. Das, learned counsel for the petitioner frankly admits that substantial compliance of the directions given by this Court has already been made by the respondents.

5. In such circumstances, the purpose of filing this PIL petition is fructified and hence, no further order is required to be passed.

Accordingly, this PIL is disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant