

GAHC010026592024



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

Case No. : WP(C)/884/2024

SANJIB CHOUDHURY
S/O- LATE NARENDRA CHOUDHURY, R/O- VILL.- SANTIPUR WEST,
BHUTNATH ROAD, H/NO. 32, P.O. AND P.S. BHARALUMUKH, GHY-781009.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE SPECIAL CHIEF SECRETARY, IT DEPARTMENT, BLOCK C, 3RD
FLOOR, ASSAM SECRETARIAT (CIVIL), DISPUR, GHY-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GHY-6.

3:THE ASSAM ADMINISTRATIVE TRIBUNAL
REP. BY ITS CHAIRMAN ASLO ACTING AS RTPS COMMISSION
OPPOSITE MEGHDOOT BHAWAN
MG ROAD
PANBAZAR
GHY-781001.

4:THE DISTRICT COMMISSIONER
KAMRUP(M)

LICHUBAGAN
HENGRABARI
GUWAHATI
ASSAM-781006.

5:THE CIRCLE OFFICER

AZARA CIRCLE
KAMRUP(M)
ASSAM
PIN- 781017

Advocate for the Petitioner : MR. S K DAS

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 15.07.2024

Heard Mr. S.K. Das, learned counsel for the petitioner. Also heard Mr. J. Handique, learned Standing Counsel, Revenue Department.

2. The petitioner has projected that he had purchased a plot of land measuring 10 (ten) Lecha from one Bidyut Kumar Barman in Dag No. 1009 of KP Patta No. 496 of Revenue Village Garal under Mauza Ramcharani through registered Sale Deed vide No. 11371 dated 24.09.2015 and he is in possession and paying the land revenue.

3. Under the Assam Right to Public Service Act, 2012, the Government has launched a scheme called Mission Basundhara. Accordingly, the petitioner had applied for partition of the said 10L land in the Seva Setu portal in digital mode vide ID no. RTPS/MUTD/2023/843606 dated 16.02.2023. However, he did not get any result. Accordingly, as the designated public servant had not provided him with the service, the petitioner filed a first appeal before the District Commissioner, Kamrup (M), Guwahati through Seva Setu on 30.10.2023 vide ID no. FBB9214. Nothing happened within statutory 60 days' period. Accordingly, the petitioner preferred a second appeal vide ID no. 0D1D970 on 01.01.2024

before the Right to Public Service Commission, Assam. His second appeal was also not disposed of.

4. Under such circumstances, this Court is of the view that this writ petition can be disposed of at this stage without issuing Notice by directing the Competent Authority to dispose of second Appeal vide I.D. No. 0D1D970, which was filed on 01.01.2024. The Competent Authority, namely, the second Appellate Authority will dispose of the Appeal stated to have been filed by the writ petitioner by passing a speaking order. While disposing of the said appeal the Competent Authority will ensure that the claims of the writ petitioner are redressed keeping in view the provisions of the Mission Basundhara Scheme framed under the Assam Right to Public Service Act, 2012.

5. This exercise shall be completed within a period of 60 (sixty) days from the date of receipt of a certified copy of this order.

6. This writ petition, is accordingly, stands disposed of.

JUDGE

Comparing Assistant