

GAHC010114792024



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

Case No. : WP(C)/956/2023

SMTI. PRONAMI KONWAR SAIKIA
D/O LATE LABA KONWAR
R/O JURIPAR WEST
H.NO. -16
SIX MILE
GUWAHATI
DIST-KAMRUP METRO
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
HOUSING AND URBAN AFFAIRS DEPARTMENT
DISPUR
GUWAHATI-781006

2:THE DEPUTY COMMISSIONER
KAMRUP METRO
ASSAM

3:THE GUWAHATI MUNICIPAL CORPORATION
BHANGAGARH
GUWAHATI
KAMRUP (METRO)

4:THE COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION
BHANGAGARH
GUWAHATI
KAMRUP METRO(ASSAM)

5:THE DEPUTY COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION
DISPUR ZONE

GUWAHATI-06
KAMRUP METRO
ASSAM

Advocate for : MR D K NATH
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

21.06.2024

- 1.** Heard Mr. D.K. Nath, learned counsel for the petitioner, who submits that the petitioner has been threatened constantly by the Guwahati Municipal Council (GMC) officials to vacate the hotel, which she is running by the name of "Hotel Patkai" at Khanapara, near Taxi Stand for the last 3 years.
- 2.** The petitioner's counsel submits that the petitioner has obtained the necessary Trade Licence from the GMC, Guwahati and cleared all taxes payable for running the hotel. However, the GMC officials have threatened her that she would be evicted from the said hotel by giving verbal threats. He accordingly prays that the respondent authorities should be restrained and the petitioner should not be made to vacate her hotel.
- 3.** Mr. S. Bora, learned counsel for the GMC submits that no threats have been made to the petitioner for vacating her hotel verbally. He submits that if the petitioner is to be evicted from the hotel due to not having the required permits or conditions for running the hotel, she would be given a prior show-

cause-notice in writing.

4. I have heard the learned counsels for the parties.

5. On a pointed query made to the counsel for the petitioner, as to why the petitioner was being threatened by the GMC officials, the petitioner's counsel submits that he does not know the reason for the threats given to the petitioner.

6. On considering the fact that Mr. S. Bora, learned Counsel for the GMC has submitted that if there is any reason for respondent authorities to take any action against the petitioner including evicting her from the hotel, the same would be preceded by a written show-cause-notice and keeping in view the fact that the writ petition has been made on an apprehension without any proof, this Court does not find any ground to exercise its discretion. The writ petition is accordingly dismissed.

JUDGE

Comparing Assistant