

GAHC010056582024



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

Case No. : WP(C)/1696/2024

SARBAT ALI @ SHARBAT ALI
S/O- LATE MAJAM ALI, R/O- VILLAGE GOPALPUR,
P.O- PAHUMARA, DIST- BARPETA, ASSAM, PIN-781309

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM, DEPARTMENT OF FOREST,
DISPUR, GUWAHATI- 781006.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
GOVT. OF ASSAM

O/OPCCF AND HOFF
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI-37
KAMRUP(M)

3:THE CONSERVATOR OF FORESTS
CENTRAL ASSAM CIRCLE
BASISTHA
GUWAHATI-29

4:AUTHORISED OFFICER
CUM DIVISIONAL FOREST OFFICER
NORTH DIVISION
RANGIA-78135

Advocate for the Petitioner : MR. M R SODIAL

Advocate for the Respondent : SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

19.07.2024

Heard Ms. SZ Hayat, learned counsel for the petitioner. Also heard Mr. D. Gogoi, learned Standing Counsel, Forest.

The learned Standing Counsel, Forest has appeared and submitted before the Court that the appeal which was filed before the Conservator of Forest/ respondent No. 3 has been misplaced as the then Conservator of Forest before whom the appeal was filed had since superannuated. He however fairly submits on instructions that if the petitioner appears before the Conservator, the Conservator will hear the grievance raised by the petitioner regarding release of his vehicle and will thereafter pass necessary orders.

The learned counsel for the petitioner does not object to the submissions made by Mr. D. Gogoi. She submits that the writ petition may be disposed of with a direction to the Conservator of Forest/respondent No. 3 to dispose of the appeal petition which is enclosed at Annexure-9, Page-34 of the writ petition.

Accordingly, upon hearing the counsel for the parties and taking into consideration the submissions made, the writ petition stands closed with a direction to the Conservator of Forest, Central Assam Circle, Basista, Guwahati-29/respondent No. 3 herein to expeditiously consider the appeal petition filed by the petitioner which is enclosed as Annexure-9, Page34 of the writ petition and thereafter pass appropriate speaking order.

The petitioner will be given an opportunity of being heard and any order that is

passed, a copy thereof shall be served on the writ petitioner.

The writ petitioner will appear before the Conservator of Forest on 26.07.2024 along with a certified copy of this order and file a fresh copy of the appeal which is enclosed as Annexure -9 of the writ petition. The Conservator of Forest will thereafter hear the petitioner and pass appropriate speaking order.

The entire process be completed within a period of 30 days from 26.07.2024.

The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant