

GAHC010061072024



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

Case No. : WP(C)/1680/2024

SULTAN HAKIMUL HAQUE
SON OF LATE NURUL HAQUE,
RESIDENT OF VILLAGE AND P.O.- PUB KALAKUCHI,
DISTRICT- NALBARI, ASSAM, PIN- 781334.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
DISPUR, GUWAHATI, PIN- 781006, ASSAM.

2:THE OFFICE OF THE DEPUTY COMMISSIONER
NALBARI
DIST.- NALBARI
ASSAM
PIN- 781335.

3:THE OFFICE OF THE ADDITIONAL DEPUTY COMMISSIONER (GAON
PRADHAN)
NALBARI
DIST.- NALBARI
ASSAM
PIN- 781335.

4:NIREN DEKA
S/O- LATE BANURAM DEKA

RESIDENT OF VILLAGE JAHA

P.O.- PUB- KALAKUCHI

P.S.- MUKALMUA

DISTRICT- NALBARI
ASSAM
PIN- 781348

Advocate for the Petitioner : MR D SENAPATI

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE K. SEMA**

ORDER

Date : 22.03.2024

Heard Mr. D. Senapati, learned counsel for the petitioner, Mr. R. Dhar, learned Addl. Senior Govt. Advocate, Assam, appearing for the respondent No. 2 and Mr. S. Dutta, learned Standing Counsel, Revenue & Disaster Management Department, Assam, Dispur, appearing for the respondent No.1 .

Mr. S. Dutta, learned Standing Counsel, Revenue & Disaster Management Department, Assam, Dispur, appearing for the respondent No. 1 has placed a copy of the Notification dated 01.02.2024, issued by the Govt. of Assam, Revenue & Disaster Management (LA&A) Department and has drawn the attention of this Court to Executive Instruction No.162-C, in which it has been provided that an appeal against the order of appointment, suspension and dismissal of a Goan Pradhan by the District Commissioner or by the Principal Secretary of the Autonomous Council area shall lie to the Director of Land Records and Surveys, Assam within a period of 60 (sixty) days from the date of receipt of the copy of the order of appointment, suspension or dismissal of the case may be by the applicant.

In view of the Notification dated 01.02.2024, placed by the learned Standing Counsel, Revenue & Disaster Management Department, learned counsel for the petitioner submits that he may be allowed to withdraw the writ petition for taking recourse to the alternative remedy available under the Notification dated 01.02.2024.

Prayer is allowed.

The petitioner is allowed to withdraw the writ petition for enabling him to take recourse to the alternative remedy available under the Notification dated 01.02.2024.

The copy of the Notification dated 01.02.2024 shall be placed on record of the case.

Writ petition disposed.

JUDGE

Comparing Assistant