

GAHC010067952023



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

Case No. : WP(C)/1984/2023

PRANJIT CHALIHA
S/O- LATE PRABHAT CHALIHA ALIAS CHANDRA CHALIHA, R/O-
SIVASAGAR TOWN, P.O. AND P.S. SIVASAGAR, DIST.- SIVASAGAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM, MUNICIPAL
ADMINISTRATION, JANATA BHAWAN, DISPUR, GHY, DIST.- KAMRUP (M),
ASSAM, PIN- 781006

2:THE DIRECTOR
MUNICIPAL ADMINISTRATION
ASSAM
GUWAHATI- 781006

3:THE CHAIRMAN
SIVASAGAR MUNICIPAL BOARD
SIVASAGAR
ASSAM
PIN- 78569

Advocate for the petitioner(s): Mr. R Sarma

Advocate for the respondent(s): Mr. PP Dutta

For respondent No.3

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

09.09.2024

Mr. R Sarma, the learned counsel appearing on behalf of the petitioner submits that he has instruction not to press the instant writ petition, taking into account that this Court would not be the appropriate Forum. He, however, submits that withdrawal of the instant writ petition should not preclude the petitioner to avail other remedies.

2. Mr. PP Dutta, the learned counsel appearing on behalf of the respondent No.3 submitted that the liberty should not be granted to the petitioner in view of the fact that this would provide a fresh cause of action to the petitioner in respect to a time-barred claim.

3. This Court having heard the learned counsels appearing on behalf of the parties, closes the instant writ petition on withdrawal. The withdrawal of the instant writ petition shall not, however, preclude the petitioner to avail other remedies, provided the same are permissible under the law.

JUDGE

Comparing Assistant