

GAHC010177832024



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

Case No. : WP(C)/1919/2024

M/S YASH ENTERPRISE
REPRESENTED BY ONE OF ITS PARTNER

HARISH KUMAR PAREEK (47 YEARS)

SON OF LATE JUGAL KISHORE PAREEK

RESIDENT OF BHUPEN DEKA PATH

BAM PORBOTIA

P.O. AND P.S.- TEZPUR

DISTRICT- SONITPUR
ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECRETARY

DEPARTMENT OF EXCISE

GOVERNMENT OF ASSAM

ASSAM SECRETARIAT
DISPUR

GUWAHATI- 781006.

2:THE JOINT SECRETARY
DEPARTMENT OF EXCISE
GOVERNMENT OF ASSAM

ASSAM SECRETARIAT
DISPUR

GUWAHATI- 781006.

3:THE COMMISSIONER OF EXCISE
ASSAM
HOUSEFED COMPLEX
DISPUR

GUWAHATI-6
KAMRUP METROPOLITAN

ASSAM.

4:THE DISTRICT COMMISSIONER (EXCISE DEPARTMENT)
SONITPUR
TEZPUR
ASSAM.

5:THE SUPERINTENDENT OF EXCISE
SONITPUR DISTRICT
TEZPUR
SONITPUR
ASSAM.

Advocate for : MR. R PHUKAN

Advocate for : SC

EXCISE DEPTT. appearing for THE STATE OF ASSAM AND 4 ORS

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

25.11.2024

No one appears for the petitioner on call.

2. Ms. U. Das, learned counsel appears for the respondent No.4.

3. The petitioner's prayer in this writ petition is for a direction to be issued to the respondent authorities, to allow him to shift his IMFL 'OFF' shop from

Missamari to Bihoguri, in terms of the petitioner's application dated 02.11.2023.

4. The petitioner had applied for shifting of his IMFL 'OFF' shop, as he had been served with a notice by the owner of the premises to vacate the shop premises. As the respondent authorities had not taken a decision on the petitioner's application dated 02.11.2023, the present petition has been filed, with a prayer for issuing the above direction.

5. It has been brought to the notice of the Court that the District Commissioner, Sonitpur, Tezpur has issued an order dated 02.09.2024 regarding the shifting proposal made by the petitioner from Missamari to a new site located at Gerua Gaon, Bihaguri, Tumuki. The said order dated 02.09.2024 has rejected the proposal made by the petitioner for shifting of his IMFL 'OFF' shop.

6. The order dated 02.09.2024 issued by the District Commissioner, Sonitpur, Tezpur is made a part of the record and marked as Annexure-X.

7. In view of the order dated 02.09.2024, it appears that the present writ petition has become infructuous. However, as no one appears for the petitioner, the writ petition is dismissed for non-prosecution.

JUDGE

Comparing Assistant