

GAHC010084812024



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

Case No. : WP(C)/2336/2024

SUKUR ALI
S/O- SONA ULLAH, R/O- VILL- NAMATI, P.O. GOLIA, P.S. PATACHARKUCHI,
DIST.- BAJALI, ASSAM, PIN- 781325

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
DISPUR, GUWAHATI- 781006

2:THE DISTRICT COMMISSIONER
BAJALI
P.O. AND P.S. BAJALI
DIST.- BAJALI
ASSAM
PIN- 781326

3:THE SUPERINTENDENT OF POLICE
BAJALI
P.O. AND P.S. BAJALI
DIST.- BAJALI
ASSAM
PIN- 781326

4:BAJALI ZILLA PARISHAD
BAJALI
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
BAJALI
PIN- 781326

5:THE CHIEF EXECUTIVE OFFICER

BAJALI ZILLA PARISHAD
BAJALI
PIN- 781326

6:BHAWANIPUR ANCHALIK PANCHAYAT
REPRESENTED BY ITS EXECUTIVE OFFICER
BHAWANIPUR
P.O. BHAWANIPUR
DIST.- BAJALI
ASSAM
PIN- 781326

7:THE OFFICER-IN-CHARGE
PATACHARKUCHI POLICE STATION
P.O. AND P.S. PATACHARKUCHI
DIST.- BAJALI
ASSAM
PIN- 78132

Advocate for the Petitioner : MR. A ROSHID

Advocate for the Respondent : SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

06.05.2024

Heard Mr. A. Roshid, learned counsel for the petitioner. Also heard Mr. S. Dutta, learned Standing Counsel PNRD and Ms. S. Baruah, learned Government Advocate, Assam.

By filing the instant writ petition, the petitioner is seeking a direction from the respondents as to why the installments for the Golia Anchalik Pashu market for the year 2023-2024 should not be exempted and for quashing the notice dated 10.01.2023 and 12.03.2024.

The facts of the case is that respondents issued NIT for the year 2023-2024 for settlement of Golia Anchalik Pashu Hat under Bajali Zilla Parishad. The bid of the petitioner was accepted at Rs. 41,60,501/- only. The said cattle Hat has been settled with the petitioner. The State Govt. has amended the Assam Cattle Preservation Act, 2021 with restriction in transportation of cattle because of which animal traders stopped business and due to different harassments. In such situation, petitioner could not collect revenue. Accordingly, the petitioner filed representation for concession of bill amount.

It is the specific case of the petitioner that the aforesaid representation dated 10.01.2024 and 19.01.2024, which are enclosed as Annexure - 5 & 6 to the writ petition are pending for consideration.

It appears that the aforesaid representations are not addressed to the proper authority.

It is submitted at the bar that if the representations are submitted before the proper authorities, this writ petition can be disposed of with direction to consider the said representation.

In view of the aforesaid endorsement made by the learned counsels, this Court deems appropriate to dispose of the writ petition with a direction that the petitioner shall file a fresh representation before the Principal Secretary, Panchayat and Rural Development and as and when such representation is filed, the concerned respondent authority shall consider the same in accordance with law and pass appropriate order within a period of 1(one) month from the date of receipt of the representation.

With the aforesaid direction and observation, this writ petition stands disposed of.

JUDGE

Comparing Assistant