

GAHC010087172024



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

Case No. : I.A.(Civil)/1269/2024 in WP(C)/1568/2024

RAJANI KANTA DAS
S/O- LATE RABI RAM DAS,
R/O- HOUSE NO. 21, TRINAYAN NAGAR,
BELTOLA, P.O.- BASISTHA,
GUWAHATI- 781029, ASSAM.
(PRESENTLY SERVING AS LOWER DIVISION ASSISTANT, IN THE OFFICE
OF THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES, KAMRUP,
GUWAHATI).9957563034

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
CO-OPERATION DEPARTMENT, DISPUR, GUWAHATI- 781006.

2:THE REGISTRAR OF CO OPERATIVE SOCIETIES ASSAM
KHANAPARA
GUWAHATI
DISTRICT- KAMRUP(METRO)
ASSAM- 781022

Advocate for the Petitioner : MR. B D KONWAR SR. ADV.

Advocate for the Respondent : SC, CO OP

BEFORE
HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

17.05.2024

O R D E R

Heard Ms. S. Jain, learned counsel for the applicant as well as Ms. A. Mesen, learned counsel, appearing on behalf of Mr. G. Bordoloi, learned Standing Counsel, Cooperation Department, Government of Assam.

By this application, the applicant, who is the petitioner in WP(C) No.1568/2024, prays for modification of paragraphs No. 3 and 4 of the order, dated 20.03.2024, passed in WP(C) No.1568/2024.

It is the submission of learned counsel for the applicant that due to inadvertence, the learned counsel for the applicant/writ petitioner had submitted that the petitioner had filed an appeal on 01.02.2024 before the Registrar of Cooperative Societies, Assam and, accordingly, this Court had directed the Registrar of Cooperative Societies, Assam to dispose of the appeal within a period of one month. Learned counsel for the applicant/petitioner submits that in fact, the applicant/petitioner had filed an appeal on 01.02.2024 before the Secretary to the Government of Assam, Cooperation Department and, therefore, paragraphs 3 and 4 of the order, dated 20.03.2024, requires to be modified by giving a direction to the Secretary to the Government of Assam, Cooperation Department instead of the Registrar of Cooperative Societies, Assam.

After hearing learned counsel for the parties and on perusal of the cause shown, this Court is satisfied.

Accordingly, paragraphs 3 and 4 of the order, dated 20.03.2024, passed in WP(C) No.1568/2024, is modified and the same shall, now, be read as under:-

“3. Being aggrieved, the petitioner filed an appeal on 01.02.2024, before the Secretary to the Government of Assam, Cooperation Department, Government of Assam. The appeal is yet to be disposed of till date.

4. Accordingly without entering into the merits, the writ petition is disposed of directing the respondent No.1/ Secretary to the Government of Assam, Cooperation Department, Dispur, Guwahati-781006/appellate

Authority to consider and dispose of the appeal filed by the petitioner on 01.02.2024, within a period of 1(one) month from the date of receipt of a copy of the order of this Court.”

The order, dated 20.03.2024, passed in WP(C) No.1568/2024 stands modified to the extent indicated above.

The IA is, accordingly, disposed of.

JUDGE

Comparing Assistant