

GAHC010088542022



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

Case No. : Cont.Cas(C)/284/2022

M/S BOGIDHOLA TEA AND TRADING CO (P) LTD.
A COMPANY REGISTERED AND INCORPORATED UNDER THE COMPANIES
ACT, 1956, HAVING ITS REGISTERED OFFICE AT BOGIDHOLA T.E.
LETEKUJAN-785613, ASSAM AND ITS ADMINISTRATIVE HEAD OFFICE AT
PARAG BHAWAN, 4TH FLOOR, ULUBARI, G.S. ROAD, GUWAHATI-781007,
ASSAM AND IS REPRESENTED BY ITS EXECUTIVE DIRECTOR, SRI PRAVIR
KUMAR ROY.

VERSUS

ALKA BHARGAVA AND 3 ORS.
THE PRINCIPAL CHIEF CONSERVATOR OF FOREST, ARANYA BHAWAN,
PANJABARI, GUWAHATI-781037, ASSAM

2:SUSHIL KUMAR THAKURIA
DIVISIONAL FOREST OFFICER
OFFICE OF THE DIVISIONAL FOREST OFFICER
JONAKINAGAR
GOLAGHAT-785621
ASSAM

3:ROBIN KUMAR
SUPERINTENDENT OF POLICE
GOLAGHAT-785613.

4:MD. ABDUL HASMAT
R/O- KEYAPATTI
WARD NO. 1
P.O. GOLAGHAT
MOUZA- MOUKHOWA
GOLAGHAT
ASSA

Advocate for the Petitioner : MR G N SAHEWALLA, MD ASLAM,MR. A CHETIA,MR H K SARMA,MS K BHATTACHARYYA

Advocate for the Respondent : MR. D GOGOI, MR. I KALITA,MR M HOQUE

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 23.10.2024

Heard Mr. H.K. Sharma, learned Counsel for the petitioner. Also, heard Mr. I. Borthakur, learned Counsel appearing on behalf of respondent/contemnor no. 1 and 2.

2. By way of this application under Section 12 of the Contempt of Court Act, read with Article 215 of the Constitution of India, the petitioner has drawn the attention of this Court to the alleged willful and deliberate violation of order dated 04/12/2020, passed by this Court in W.P.(C) no. 4531 of 2020.

3. It appears that this Court by order dated 04/12/2020 disposed of the writ petition being no. W.P.(C) no. 4531 of 2020 by providing that extraction of mines by the respondent no. 4, shall be permitted by the authority in terms of the order of settlement dated 17/03/2014 by excluding the private Patta land of the petitioner. It was further clarified in the aforesaid order that portion of the river flowing through the petitioner's tea garden shall remain excluded from the mining area as indicated in the order dated 17/03/2014.

- 4.** Today, when the matter was called, Mr. I. Borthakur, learned Standing Counsel places a letter dated 11/03/2022 issued by the petitioner to the Divisional Forest Officer (Tea) Golaghat Forest Division, Golaghat, wherein it is specifically informed that no activities of sand extraction are sighted or reported in and around the petitioner's Tea Estate.
- 5.** It thus appears that there is no mining activity in the petitioner's tea garden.
- 6.** Hence, nothing survives for adjudication in the instant contempt petition.
- 7.** Accordingly, the contempt petition stands closed.
- 8.** A copy of the letter dated 11/03/2022 is kept on record and marked as "X".

JUDGE

Comparing Assistant