

GAHC010024722024



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

Case No. : PIL/37/2023

ANITA DAS AND 5 ORS
W/O PURNA DAS
R/O VILL-KHETASWAR
P.O.-KHARUPETIA
DIST-DARRANG
ASSAM

2: SWASTHI RANI DAS
W/O DILIP DAS
R/O VILL-KHETASWAR
P.O.-KHARUPETIA
DIST-DARRANG
ASSAM

3: SWAPNA DAS
W/O TAPAN DAS
R/O VILL-KHETASWAR
P.O.-KHARUPETIA
DIST-DARRANG
ASSAM

4: ABDUL HASEM
S/O ABDUL AWAL
R/O VILL-KHETASWAR
P.O.-KHARUPETIA
DIST-DARRANG
ASSAM

5: KARTIK KARMAKAR
S/O LATE KISHORI KARMAKAR
R/O VILL-KHETASWAR
P.O.-KHARUPETIA
DIST-DARRANG

ASSAM

6: ABDUL KARIM CHOUDHURY
S/O LATE RASUL UDDIN
R/O VILL-KHETASWAR
P.O.-KHARUPETIA
DIST-DARRANG
ASSAM
VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM
DISPUE
GUWAHATI-6

2:THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-6

3:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF PANCHAYAT AND RURAL DEVELOPMENT
DISPUR
GUWAHATI-6

4:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF HOUSING AND URBAN AFFAIRS
DISPUR
GUWAHATI-6

5:THE DEPUTY COMMISSIONER OF DARRANG
P.O. AND DIST-DARRANG
MANGALDAI
ASSAM
PIN-784125

6:THE CIRCLE OFFICER
DALGAON REVENUE CIRCLE
P.O.-DALGAON
DIST-DARRANG
MANGALDAI
ASSAM
PIN-784116

7:THE PRESIDENT OF KHARUPETIA TOWN COMMITTEE
P.O.-KHARUPETIA
DIST-DARRANG
MANGALDAI
ASSAM
PIN-784115

8:THE CHIEF ELECTORAL OFFICER
ASSAM

DISPUR
GUWAHATI-6
9:THE ELECTORAL REGISTRATION OFFICER
DALGAON LEGISLATIVE ASSEMBLY CONSTITUENCY
P.O.-DALGAON
DIST-DARRANG
ASSAM
PIN-784116

Advocate for : MR. A R SIKDAR

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 8 ORS

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 25/06/2024

Vijay Bishnoi, CJ

Heard Mr. A.R. Sikdar, learned counsel for the petitioners. We have also heard Mr. K. Kalita, learned counsel and Mr. N. Das, learned Government Advocate, Assam, appearing for the respondents.

This PIL petition is filed by the petitioners being aggrieved with the action of the respondents whereby, the area of Bihudia Gaon Panchayat is included in the Kharupetia Town Committee. The petitioners have also raised grievance of inclusion of area of Khetaswar @ Khetrachar village in the Kharupetia Town Committee.

Prima facie we are of the view that if any resident/residents of the above referred Gaon Panchayats is/are aggrieved by the inclusion of area of those Gaon Panchayats in the area of Kharupetia Town Committee, he/they can very well approach in his/their individual capacity by availing appropriate remedy and for that PIL is not maintainable.

At this stage, Mr. Sikdar, learned counsel for the petitioners have submitted on instruction that

he wants to withdraw this writ petition with liberty for the petitioners as well as the individuals of Bhudia Gaon Panchayat and Khetaswar Gaon Panchayat to raise their grievance in appropriate proceedings individually or collectively before the appropriate forum.

PIL petition stands dismissed with liberty, as prayed for.

JUDGE

CHIEF JUSTICE

sukhamay

Comparing Assistant