

GAHC010109162023



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

Case No. : WP(C)/3812/2023

KHANDAKAR JIYAUR RAHMAN
S/O- LT. KHANDAKAR MAJIBAR RAHMAN, R/O- KALABHANGA WARD
NO.4, P.O. BARPETA ROAD, P.S. BARPETA ROAD, DIST.- BARPETA, ASSAM-
781315

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, THE
FOREST AND ENVIRONMENT DEPTT., SACHIVALAYA, DISPUR, ASSAM,
PIN- 781006

2:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF
FORESTS FORCE
ASSAM
PANJABARI
GUWAHATI- 781037

3:THE CHIEF CONSERVATOR OF FOREST
CENTRAL ASSAM CIRCLE
OFFICE OF C.C.F.
BASISTHA
GUWAHATI- 781029

4:DIVISIONAL FOREST OFFICER
NORTH KAMRUP DIVISION
RANGIA
ASSAM

5:PALASH DAS
S/O- LT UTTAM DAS
R/O- VILL- PORABHORAL

P.O. AND P.S. HOWLI
PIN- 781316
DIST.- BARPETA
ASSA

Advocate for the Petitioner : MR S BORTHAKUR, MR. P. SINGHA

Advocate for the Respondent : SC, FOREST, MR. S BANIK, MS F BEGUM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 09.09.2024

Heard Mr. S Borthakur learned counsel for the petitioner. Also heard Mr. S Banik learned counsel for the respondent No.5.

Mr. Borthakur submits that the issue raised in the present writ petition was also raised in WP(C) No.3313/2023 (*Abinash Nath Vs. State of Assam and others*). According to Mr. Borthakur, the issue involved in this writ petition and claimed by the present petitioner has been negated in the aforesaid writ petition by a Co-ordinate bench in its judgment dated 31.05.2024 and accordingly it is the contention of Mr. Borthakur that nothing survives to be adjudicated in the present writ petition except preferring a writ appeal by the petitioner.

In view of the aforesaid, the present writ petition stands closed, however, it is provided that the petitioner may approach the authority for release of his bid security pursuant to auction notice dated 02.03.2023 and in the event such application for release of security deposit is made, the same may be considered as per law and in terms of the auction notice.

With the aforesaid terms, the writ petition stands closed.

JUDGE

Comparing Assistant