

GAHC010114332016



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

Case No. : WP(C)/3903/2016

ARSHAD SAQUEI
S/O LT. M. SAQUEI R/O A.T. ROAD, ADABARI P.S. JALUKBARI GUWAHATI -
781014, DIST.KAMRUP M, ASSAM

VERSUS

THE STATE OF ASSAM and 6 ORS
REP. BY THE COMMISSIONER AND SECRETARY, GUWAHATI
DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE CHIEF EXECUTIVE OFFICER

GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY GMDA
BHANGAGARH
GUWAHATI-5.

3:THE MEMBER SECRETARY
POLLUTION CONTROL BOARD ASSAM
BAMUNIMAIDAM
GUWAHATI- DIST. KAMRUP M
ASSAM.

4:THE LABOUR COMMISSIONER

ASSAM GOVT. LABOUR AND EMPLOYMENT
GOPINATH NAGAR
B.K. KAKATI ROAD
GUWAHATI -16.

5:THE COMMISSIONER

POLICE COMMISSIONERATE

KAMRUP METRO
GUWHATI - 781001.

6:THE OFFICER-IN-CHARGE

JALUKBARI POLICE STATION
JALUKBARI
GUWAHATI -14
DIST. KAMRUP M
ASSAM.

7:NCS ESTATES PRIVATE LIMITED
HAVING ITS REGISTERED OFFICE 20
MOULANA ABUL KALAM AZAD ROAD
HOWRAH- 711101
REP. BY ITS DIRECTOR SUNIL SARAWGI SUNIL AUTOMOBILES
SRCB ROAD GUWAHATI - 781001
ASSAM INDIA.

8:SRI SURENDRA SARAWGI
C/O NCS TRAVELS and TOURS PVT LTD
SRCB ROAD
FANCY BAZAR
GUWAHATI.

9:MR VIKASH SARAWGI
C/O NCS TRAVELS and TOURS PVT. LTD
SRCB ROAD FANCY BAZAR
GUWAHATI

Advocate for the Petitioner : MR. A K DAS
Advocate for the Respondent : MR. R K JAIN (R - 7, 8 & 9)

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

27.02.2024

When the writ petition was listed on 22.02.2024, this Court passed the following order :-

Mr. M.J. Gogoi, learned counsel representing Mr. A.K. Das, learned counsel has submitted that submitted that the brief of the case has already been taken back by the

petitioner from Mr. A.K. Das. He has, thus, submitted that the names of Mr. A.K. Das, Mr. B. Sinha and Ms. J. Bhuyan be struck off from the cause-list as they are no longer representing the petitioner.

Mr. S. Bora, learned Standing Counsel, GDD and GMDA for the respondent nos. 1 & 2; Mr. S. Baruah, learned Standing Counsel, PCBA for the respondent no. 3; Mr. N. Goswami, learned Junior Government Advocate, Assam for the respondent nos. 4, 5 & 6; and Mr. R.K. Jain, learned counsel for the respondent nos. 7, 8 & 9 are in attendance and have jointly submitted that, otherwise too, there is no cause of action has survived in the writ petition.

Be that as it may. As the petitioner is found not represented today, list the case, for ends of justice, on 27.02.2024.

2. When the writ petition is called for hearing today, there is no representation on behalf of the petitioner.

3. Mr. N. Goswami, learned Junior Government Advocate, Assam for the respondent nos. 4, 5 & 6; and Mr. R.K. Jain, learned counsel for the respondent nos. 7, 8 & 9 who were in attendance on the previous date of listing, are also in attendance today.

4. Mr. Jain, learned counsel for the respondent nos. 7, 8 & 9 has reiterated his submission that no cause of action has survived in this writ petition. Be that as it may.

5. In view of absence of the petitioner on two consecutive occasions, this Court is persuaded to take a view that the petitioner is not interested to pursue the instant writ petition. Accordingly, the writ petition is dismissed for non-prosecution.

JUDGE

Comparing Assistant