

GAHC010119632023



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

Case No. : WP(C)/3268/2023

BEDANANDA DAS
S/O- LATE TEPU RAM DAS, R/O- VILL- NATUNGAON, P.O.
BISWANATHGHAT, P.S. BISWANATH CHARIALI, DIST.- SONITPUR (ASSAM),
PIN- 784177

VERSUS

THE STATE OF ASSAM AND 9 ORS
REP. BY THE CHIEF SECRETARY, GOVT. OF ASSAM, BLOCK-C, 3RD FLOOR,
ASSAM SACHIVALAYA, DISPUR, GUWAHATI, KAMRUP (M), ASSAM, PIN-
781006

2:THE SECRETARY
TO THE GOVT. OF ASSAM-CUM- THE MEMBER SECRETARY
SEIAA
ASSAM
DEPT. OF ENVIRONMENT AND FOREST
H-BLOCK
2ND FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI
KAMRUP (M)
ASSAM
PIN- 781006

3:THE SECRETARY
DEPT. OF MINES AND MINERALS
GOVT. OF ASSAM
ASSAM SECRETARIAT BLOCK A
1ST FLOOR
DISPUR

GUWAHATI
KAMRUP (M)
ASSAM
PIN- 781006

4:THE CHAIRMAN
STATE LEVEL ENVIRONMENT IMPACT AUTHORITY
ASSAM
BAMUNIMADAM
GUWAHATI
KAMRUP (M)
ASSAM
PIN- 781021

5:THE MEMBER SECRETARY
SEIAA
ASSAM
BAMUNIMADAM
GUWAHATI
KAMRUP (M)
ASSAM
PIN- 781021

6:THE DIRECTOR
DIRECTORATE OF GEOLOGY AND MINING
KAHILIPARA
GUWAHATI
KAMRUP (M)
ASSAM
PIN- 781019

7:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE
ASSAM
DEPTT. OF ENVIRONMENT AND FORESTS GOVT. OF ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI
KAMRUP (M)
ASSAM
PIN- 781037

8:THE DIVISIONAL FOREST OFFICER
SONITPUR EAST DIVISION
BISWANATH CHARALI
DIST.- SONITPUR
ASSAM
PIN- 784176

9:THE DEPUTY COMMISSIONER
SONITPUR
TEZPUR
ASSAM
PIN- 784001

10:THE ADDL. DEPUTY COMMISSIONER
BISWANATH
BISWANATH CHARIALI
DIST.- SONITPUR (ASSAM)
PIN- 78417

Advocate for the Petitioner : MR D C K HAZARIKA, J BEZBARUAH,MS J KALITA

Advocate for the Respondent : GA, ASSAM, SC, FOREST

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

04.12.2024

1. No one appears for the petitioner on call.
2. The petitioner has put to challenge the Speaking Order dated 14.03.2023 issued by the Principal Chief Conservator of Forest & Head of Forest Force, Assam, by which the petitioner's application for renewal of lease period of Borgang Sand & Gravel Mahal No.4 under Sonitpur East Division, Biswanath Chariali was rejected, in terms of Rule 19 of the Assam Minor Mineral Concession Rules, 2013 (hereinafter referred to as the "2013 Rules"). The application was rejected on the ground that the petitioner had not submitted his renewal petition in the prescribed Form MC-2 along with different details and also due to non-submission of non-refundable renewal minimum fee of

Rs.1,00,000/-.

3. Mr. R.R. Gogoi, learned Standing Counsel, Forest Department submits that this Court, vide order dated 11.11.2024 passed in WP(C) 3233/2023 had dismissed a similar case, on the ground that the petitioner's application therein had been made due to non-submission of the application in Form MC-2, besides non-submission of minimum fee of Rs.1,00,000/-. He submits that as the present case is a covered case, the writ petition should be dismissed.

4. On perusing the contents of the writ petition and the order dated 11.11.2024 passed in WP(C) 3233/2023, it appears that the present case is similar to case in WP(C) 3233/2023.

5. However, as the writ petitioner is absent, it *prima facie* appears that the petitioner is not interested in pursuing the writ petition.

6. The writ petition is accordingly dismissed for non-prosecution.

JUDGE

Comparing Assistant