

GAHC010157852021



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

Case No. : Cont.Cas(C)/379/2021

DHAMOR RAIJAN FISHERY COOPERATIVE SOCIETY LTD
REP. BY ITS SECRETARY SRI TIPUL CHANDRA DAS, AGED 45 YEARS, S/O
MADAN CHANDRA DAS, R/O VILL- SILAPANI, P.S. AND P.O.-LAKHIPUR,
DIST- GOALPARA, ASSAM, PIN-783129, HAVING ITS REGISTERED OFFICE
AT VILL- SILAPANI, P.O. AND P.S.-LAKHIPUR, DIST- GOALPARA, ASSAM,
PIN-783129

VERSUS

ANURADHA ADHIKARI SARMA and ANR.
MANAGING DIRECTOR, ASSAM FISHERIES DEVELOPMENT
CORPORATION LTD., V.I.P. ROAD, CHACHAL, GUWAHATI-781036, DIST-
KAMRUP (M), ASSAM

2:PRASANTA BORKAKATI
MANAGING DIRECTOR
ASSAM FISHERIES DEVELOPMENT CORPORATION LTD. V.I.P. ROAD
CHACHAL GUWAHATI-781036
DIST. KAMRUP (M) ASSAM

Advocate for the Petitioner : MR. S K GOSWAMI

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 15.03.2024

Heard Mr. S.K. Goswami, learned counsel for the petitioner and Mr. P. Sarmah, learned counsel for the respondent No. 2.

2. The contempt petition has been filed for non-compliance of the order dated 12.01.2021 passed in WP(C) 78/2021, wherein it has been stated at para Nos. 7 & 8 as follows:-

“7. In the circumstance, we are of the view that as the petitioner claims similarity with the other fisheries as contained in the order dated 05.03.2020 and if the similarity actually does exist it would be a case of discrimination against the petitioner and the interest of justice would be met if the Managing Director of the Assam Fisheries Development Corporation Limited looks into the grievance of the petitioner as to whether there was a late settlement in their case also and if yes, to pass a reasoned order giving the same relief as granted to the fourteen other fisheries mentioned in the order dated 05.03.2020.

8. For the purpose, the petitioner to file a fresh representation indicating the factual circumstance of belated settlement and upon the representation being submitted, the Managing Director to pass a reasoned order within a period of four weeks thereof. All the factual situation of belated settlement be depicted in the representation”

3 Mr. P. Sarmah, learned counsel submits that the order dated 12.01.2021 passed in WP(C) 78/2021 has been complied with, in view of the order dated 05.03.2024 issued by the Managing Director, Assam Fisheries Development Corporation Limited, Guwahati and the Corrigendum dated 14.03.2024. He submits that as had been done in other cases, the petitioner will be refunded the proportionate amount of kist money, in view of the possession of the fishery being given to him at a later date than the fixed date, after getting the approval of the Board of Directors.

4. In view of the above facts, the contempt petition stands closed.
5. The order dated 05.03.2024 and the Corrigendum dated 14.03.2024 are made a part of the record and marked as Annexure 'X' collectively.

JUDGE

Comparing Assistant