

GAHC010161572024



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

Case No. : WP(C)/4153/2024

MOTIOR RAHMAN AND 4 ORS
S/O- LATE MAULABI ABDUL RAHMAN

2: MIJANUR RAHMAN
S/O- LATE MAULABI ABDUL RAHMAN

3: MUKHLESAR RAHMAN
S/O- LATE MAULABI ABDUL RAHMAN

4: MUSTAFIJUR RAHMAN
S/O- LATE MAULABI ABDUL RAHMAN

5: RAHIMA KHATUN
D/O- LATE ABDUL RAHMAN

ALL ARE R/O- VILLAGE- KATAJHAR GAON

P.O- GABARDHANA

PIN-781315

P.S- GABARDHANA

DIST-BAKSA
(BTC)
ASSA

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM, WELFARE OF PLAIN TRIBES AND OTHER BACKWARD CLASSES,
ASSAM , DISPUR, GUWAHATI-781006

2:THE BODOLAND TERRITORIAL AREA DISTRICTS
AT KOKRAJHAR REP. BY ITS PRINCIPAL SECRETRY

P.O- KOKRAJHAR

DIST- KOKRAJHAR (BTAD)
ASSAM

PIN-783370

3:THE SECRETARY
MARKET AND FAIRS DEPARTMENT

BODOLAND AUTONOMOUS COUNCIL

P.O- KOKRAJHAR

DIST- KOKRAJHAR (BTAD)
ASSAM

PIN-78337

Advocate for the Petitioner : MR. M A SHEIKH, MR. W A SHEIKH,MS F INTAZ

Advocate for the Respondent : SC, BTC,

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

19.08.2024

1. Heard Mr. M.A. Sheikh, learned counsel for the petitioners, who submits that the petitioners are owners and pattadars of land measuring 4 Bighas, 0 Katha, 01 Lecha situated at village Katajhar Gaon in the district of Baksa (BTC), Assam (Schedule-A). The petitioners, who want to establish and run a private cattle market, have submitted a representation dated 18.07.2024 before the respondent No.3 praying that a licence for running the private cattle market be issued to the respondents.

2. The grievance of the petitioners is that the petitioners representation has not been decided till date, even though the respondent BTC have the power to issue a licence under Sections 24 & 25 of the Bodoland Autonomous Council Act, 1993.
3. The petitioners counsel submits that the writ petition can be disposed of, if a direction is issued to the respondent No.3 to take a decision on the petitioners representation, within a specified time period.
4. Ms. R.B. Bora, learned counsel for the respondent Nos.2 & 3 and Ms. U. Das, learned counsel for the respondent No.1 submit that they have got no objection to the prayer made by the petitioners counsel.
5. In view of the consent of the parties, the respondent No.3 is directed to take a decision on the petitioners representation dated 18.07.2024, within a period of 3(three) weeks from the date of receipt of a certified copy of this order along with a copy of the writ petition. The decision taken by the respondent No.3 should be communicated to the petitioner thereafter.
6. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant