

GAHC010161582024



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

Case No. : PIL/45/2024

RINKU KUMAR SAIKIA
S/O LATE PADMA KUMAR SAIKIA,
A RESIDENT OF INDIRA NAGAR,
PROFESSOR COLONY, TEZPUR,
P.O AND P.S- TEZPUR, PIN-784004, DIST- SONITPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE SECRETARY, TO THE GOVERNMENT OF ASSAM, TOWN AND
COUNTRY PLANNING DEPARTMENT (URBAN DEVELOPMENT), ASSAM,
DISPUR, GUWAHATI- 781006.

2:THE DISTRICT COMMISSIONER

SONITPUR
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001.

3:TEZPUR MUNICIPAL BOARD
P.O AND P.S-TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001.

4:THE CHAIRMAN

TEZPUR MUNICIPAL BOARD
P.O AND P.S-TEZPUR
DISTRICT- SONITPUR

ASSAM
PIN- 784001.

5:THE DISTRICT DISASTER MANAGEMENT AUTHORITY
SONITPUR

P.O AND P.S-TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001

For the petitioner : Mr. S.D. Purkayastha, Advocate
For the respondents : Mr. R.K.Borah, Addl. Sr. Govt. Advocate

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KARDAK ETE

19-08-2024

(Vijay Bishnoi, C.J.)

This writ petition is filed by the petitioner in the form of Public Interest petition with the prayer to issue a direction to the respondent Nos.3 and 4 to stop the project of transforming the Paltan Pukhuri road in the northern boundary of the 'Litchu Pukhuri', into a Food Street and construction undertaken in the northern boundary of the 'Litchu Pukhuri' over and covering the public drain and erecting pillars on a part of the road and to demolish the same.

Learned counsel for the petitioner has submitted that with the construction of the Food Street, the Paltan Pukhuri Road will be narrowed down and on account of that free flow of the traffic on the said road will be adversely affected.

Having gone through the PIL petition, we do not find any details regarding the traffic load on the abovereferred road and no such material is placed on record as to how the flow of the traffic is going to be affected by construction of the Food Street.

Be that as it may, as per the petitioner, a representation raising all the grievances has already been filed before the District Commissioner, Sonitpur, Tezpur,

Assam. We deem it appropriate that if the said representation filed by the petitioner has still not been decided, the District Commissioner, Sonitpur, Tezpur shall consider and decide the same expeditiously within a period of 2 (two) weeks from the date of production of certified copy of this order.

With the aforesaid observation, this PIL petition is disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant