

GAHC010166212024



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

Case : MC/55/2024

PRADEEP GUPTA
S/O- LATE RAM KUMAR GUPTA
R/O- DR. R.P ROAD
DISPUR
GUWAHATI-06
DISTRICT-KAMRUP (M)
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS .
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT DISPUR
GHY-06

2:THE DEPUTY COMMISSIONER
KAMRUP (M)
O/O THE DEPUTY COMMISSIONER
LICHUBAGAN
HENGRABARI
GUWAHATI-36
ASSAM

3:THE ADDITIONAL DEPUTY COMMISSIONER
KAMRUP (M)
O/O THE DEPUTY COMMISSIONER (BAKIJAI BRANCH)
LICHUBAGAN
HENGRABARI
GUWAHATI-36
ASSAM

4:THE BAKIJAI OFFICER
KAMRUP (M)

O/O THE DEPUTY COMMISSIONER
LICHUBAGAN
HENGRABARI
GUWAHATI-36
ASSAM

Advocate for : MS P GUPTA

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 3 ORS .

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

02.12.2024

Heard Mr. D. Kakoti, learned counsel for the petitioner. Also heard Mr. N. Goswami, learned Government Advocate for the State.

This misc. case has been filed seeking restoration of the writ petition being W.P(C) No. 5820/2023 which came to be dismissed for non prosecution vide order dated 07/08/2024.

The learned counsel for the petitioner has stated that the counsels were unable to attend to the matter as the petitioner was out of station due to a family emergency, and his colleague was suffering from medical issues. As a result, the matter went unattended and was dismissed on 07.08.2024. The petitioner was not represented on two dates, therefore the matter came to be dismissed.

The learned Government Advocate does not object to the prayer made.

Having heard learned counsel for the parties and upon perusal of the grounds urged in the misc. case, this Court is of the view that the order dated 07.08.2024 passed in W.P.(C) No. 5820/2023 dismissing the writ petition can be recalled.

The order dated 07.08.2024 is therefore recalled. Therefore, the writ petition is restored to the file, however subject to payment of cost of Rs. 2000/- to be paid to

Gauhati High Court Legal Services Committee.

JUDGE

Comparing Assistant