

GAHC010176422016



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

Case No. : WP(C)/7846/2016

SRI PARIMAL SARKAR
S/O BIHARI SARKAR, VILL. DAKHIN BEHOWGURI, P.S. RUPAHIHAT, DIST-
NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM and 6 ORS.
REP. BY THE COMMISSIONER and SECY., TO THE GOVT. OF ASSAM, FOOD
AND CIVIL SUPPLY and CONSUMER AFFAIRS DEPTT., DISPUR, GHY-6

2:THE DIRECTOR
FOOD AND CIVIL SUPPLY and CONSUMER AFFAIRS DEPTT.
ASSAM
BHANGAGARH
GHY-5

3:THE DY. COMMISSIONER
NAGAON
ASSAM

4:THE ADDL. DY. COMMISSIONER
IN-CHARGE
KALIABOR SUB-DIVISION
DIST- NAGAON
ASSAM

5:THE SUB-DIVISIONAL OFFICER CIVIL
KALIABOR
DIST- NAGAON
ASSAM

6:THE INSPECTOR

FOOD AND CIVIL SUPPLY and CONSUMER AFFAIRS
KOLIABOR
DIST- NAGAON
ASSAM

7:M/S LAWKHOWA GAON PANCHAYAT SAMABAI SAMITI LTD.
REP. BY ITS SECY.
LAWKHOWA
DIST- NAGAON
ASSA

For the petitioner (s) : Mr. J. C. Borah, Advocate

For the respondent (s) : Mr. M. Chetia, Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

15.07.2024

Mr. J. C. Borah, the learned counsel for the petitioner submits that for deciding the instant writ petition, various factual aspects need to be gone into taking into consideration that the allegations which have been made and the reply which has been submitted by the petitioner has to be proved on the basis of certain documents.

2. The learned counsel for the petitioner, therefore, submits that the instant writ proceedings may not be a proper remedy and an appeal against the said order being permissible, he may be permitted to withdraw the instant writ petition with a liberty to avail such remedy.

3. Taking into account the above, the instant writ petition stands closed on withdrawal.

4. Liberty however is given to the petitioner to avail the remedy if so available within 30 days.

5. The withdrawal of the instant writ petition shall not prejudice the petitioner in the appeal, if so filed.

JUDGE

Comparing Assistant