

GAHC010180032023



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

Case No. : PIL/57/2023

NIKHIL KONCH
S/O SRI PADMADHAR KONCH
R/O VILL- KENDUGURI
LAKHIPATHAR BLOCK A TO E,
P.S. LAKHIPATHAR
DIST. TINSUKIA, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,
GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY
GOVT. OF ASSAM
URBAN DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE COMMISSIONER
TINSUKIA DISTRICT

TINSUKIA
ASSAM

4:THE COMMISSIONER
DIGBOI MUNICIPAL BOARD

DIGBOI
DIST. TINSUKIA
ASSAM

5:THE EXECUTIVE OFFICER
DIGBOI MUNICIPAL BOARD

DIGBOI
DIST. TINSUKIA
ASSAM

6:SRI NAKUL SAIKIA
PROPRIETOR OF M.N. ENTERPRISE NEAR ASTC BUS STAND
BORBIL NO. 1
DIGBOI
DIST. TINSUKIA
ASSA

Advocate for the Petitioner : MR R K DUTTA, MR. U J SAIKIA,MS M DAS

Advocate for the Respondent : GA, ASSAM, MR. P J BARMAN (r-5),MR D K SARMAH (r-5),MS.
J DEKA (R-6),MS. A TALUKDAR (R-6)

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 07.11.2024
(Vijay Bishnoi, CJ)

The instant PIL has been filed by the petitioner, opposing the construction of RCC Commercial Shopping Complex within the Digboi Public Bus Stand, Digboi.

It is informed that the construction of the RCC Commercial Shopping Complex within the Digboi Public Bus Stand, Digboi has already been completed.

The learned counsel for the petitioner has submitted that before construction of the said RCC complex, one waiting shed for the passengers was there at the bus stand but, the same has been demolished and therefore, the people at large is facing problem since there is no place for the commuters to wait for the buses.

The learned counsel for the respondent, Mr. D. K. Sarmah has invited our

attention towards the resolution of the Digboi Municipal Board, Digboi, dated 19.07.2023; wherein, the Board Members, after prolong discussion has decided to demolish the existing waiting shed at the Digboi Public Bus Stand, since it was very small and inadequate to accommodate large number of passengers and decided to construct a new spacious waiting shed in the vacant place at the eastern side of the bus stand as soon as possible.

In view of the fact that the construction of the said RCC complex has already been completed and the Municipal Board Digboi has already passed their resolution by constructing a new spacious waiting shed at eastern side of the Digboi Bus Stand, we are of the view that no further order(s) is required to be passed in this PIL petition and the same is therefore, dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant