

GAHC010192522024



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

Case No. : WP(C)/4890/2024

MRINAL KUMAR THAKURIA
SON OF TARUN CHANDRA THAKURIA,
RESIDENT OF VILLAGE- JENGARBORI,
P.O.- CHATANTOLI, P.S.- LAHARIGHAT,
DISTRICT- MORIGAON, ASSAM,
PIN- 782127.

VERSUS

THE STATE OF ASSAM AND 6 ORS
TO BE REPRESENTED BY THE PRINCIPAL SECRETARY TO THE
GOVERNMENT OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX),
DISPUR, GUWAHATI- 781006.

2:PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
GENERAL ADMINISTRATION DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)

DISPUR
GUWAHATI- 781006.

3:DIRECTOR OF LAND RECORDS AND SURVEYS
ASSAM
RAJAH BHAWAN (OFFICE OF THE DIRECTOR OF LAND RECORDS AND
SURVEYS ETC. ASSAM)

RUPNAGAR
GUWAHATI- 781032.

4:DISTRICT COMMISSIONER

MORIGAON
ASSAM.

5:ADDITIONAL DISTRICT COMMISSIONER (REVENUE)
MORIGAON
ASSAM.

6:CIRCLE OFFICER
LAHARIGHAT REVENUE CIRCLE
LAHARIGHAT
MORIGAON.

7:RUHUL AMIN
SON OF LATE SAMED ALI

RESIDENT OF VILLAGE- CHATIAANTOLI

P.O.- CHATIAANTOLI

P.S.- LAHARIGHAT

DISTRICT- MORIGAON
ASSAM.
PIN- 782127

Advocate for the Petitioner : MR. A R BHUYAN, MR N A MAZARBHUIYA,MR N Z
CHOUDHURY

Advocate for the Respondent : SC, REVENUE, SC, GAD,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 25-10-2024

Heard Mr. N.A. Mazarbhuiya, learned counsel for the petitioner. Also heard Mr. S. Dutta, learned standing counsel, Revenue Department, Assam as well as Mr. C.S. Hazarika, learned Govt. Advocate, Assam appearing for the official respondents.

The writ petitioner herein had submitted his candidature for selection and appointment to the post of Gaon Pradhan of Amaraguri, Jengarbori and Chatiantoli

Kissam in Laharighat Mouza under Laharighat Revenue Circle pursuant to the notification dated 07-07-2022 issued by the concerned authority. However, upon completion of the selection process, the respondent No. 7 has been selected. According to the learned counsel for the petitioner the respondent No. 7 has submitted false documents and therefore, his selection is liable to be cancelled. The petitioner's counsel has further submitted that although an appeal was preferred before the appellate authority in terms of the provision of Rule 162(C) of the Executive Instruction framed under Assam Land and Revenue Regulation, 1886, the said appeal has not been disposed of till today. Hence, this writ petition.

Having regard to the grievance expressed in this writ petition, this Court vide order dated 01-10-2024, directed the petitioner to submit a fresh appeal and also granted time to the learned standing counsel, Revenue Department to obtain instruction in this regard.

Today when the matter is called up, Mr. S. Dutta, learned standing counsel, Revenue Department, Assam submits that the petitioner has submitted a fresh appeal yesterday and the same would now be taken up for disposal in accordance with law. If that be, nothing further survives for adjudication in this writ petition at this point of time. Therefore, it is provided that the appeal preferred by the petitioner be disposed of in accordance with law after hearing the affected parties, within a period of 90 days from today.

If the writ petitioner continues to remain aggrieved in the matter, even thereafter, it would be open for him to approach this Court once again by filing appropriate writ petition.

With the above observation, this writ petition stands disposed of.

JUDGE

GS

Comparing Assistant