

GAHC010192752021



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

Case No. : WP(C)/6153/2021

M/S GERAMARI GAON PANCHAYAT MIN SAMABAY SAMITY LTD AND
ANR
HAVING ITS REGISTERED OFFICE AT VILL. MANDAIKHALI, P.O.
ASHARIKHANDI, P.S. GAURIPUR, DHUBRI DIST., ASSAM, PIN 783331,
BEING REPRESENTED BY ITS PRESIDENT SRI FAKIR CHAND BARMAN.

2: FAKIR CHAND BARMAN

S/O LT. NANDALAL BARMAN
R/O VILL. MANDAIKHALI
P.O. ASHARIKHANDI
P.S. GAURIPUR
DHUBRI DIST.
ASSAM
PIN 783331 THE PRESIDENT OF M/S GERAMARI GAON PANCHAYAT MIN
SAMABAY SAMITY LTD

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT.OF
ASSAM, FISHERY DEPTT., HAVING ITS OFFICE AT DISPUR, GUWAHATI
781006, DIST. KAMRUP (M), ASSAM.

2:THE SECY. TO THE GOVT. OF ASSAM

FISHERY DEPTT. HAVING ITS OFFICE AT DISPUR
GUWAHATI 781006
DIST. KAMRUP (M)
ASSAM.

3:THE ASSAM FISHERIES DEVELOPMENT CORP. LTD.
A GOVT. OF ASSAM UNDERTAKING
REPRESENTED BY ITS MANAGING DIRECTOR

HAVING ITS OFFICE AT CHACHAL
VIP ROAD
GUWAHATI 781036
KAMRUP (M)
ASSAM.

4:THE MANAGING DIRECTOR

ASSAM FISHERIES DEVELOPMENT CORPORATION LTD (A GOVT. OF
ASSAM UNDERTAKING) HAVING ITS OFFICE AT CHACHAL
VIP ROAD
GUWAHATI 781036
KAMRUP (M)
ASSAM.

5:THE OFFICER IN CHARGE CUM PROJECT MANAGER (I/C)
LOWER ASSAM REGION
ABHAYAPURI
BONGAIGAON
ASSAM FISHERIES DEVELOPMENT CORP. LTD.

6:THE DEPUTY COMMISSIONER

DHUBRI HAVING ITS OFFICE AT DHUBRI TOWN
DIST. DHUBRI
ASSAM

Advocate for the Petitioner : MR. H. BURAGOHAIN

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 19-06-2024

Heard Mr. H, Buragohain, learned counsel for the petitioners and Mr. P. Sarma, learned standing counsel for the AFDC and Ms. U. Das, learned counsel for the respondent nos.1, 2 and 6.

2. The present writ petition has been filed on account of the petitioners

being aggrieved by a defaulter notice dated 08.11.2021, demanding an amount of Rs. 11,32,650/- from the petitioners.

3. Mr. H. Buragohain, submits that at present there is no demand being made by the respondents for the amount of Rs. 11,32,650/- and the possession of the fishery in its entirety has been handed over to the petitioners. The petitioners are also paying the kist money regularly. As such, as on date there is no grievance of the petitioners against the respondents and accordingly, the petitioners counsel prays that they may be allowed to withdraw the writ petition, with liberty to file afresh.

4. Mr. P. Sarma, submits upon instructions that the petitioners have been given possession of the fishery and they are paying the kist money regularly.

5. On considering the submissions made by the learned counsels for the parties, the prayer of the petitioners counsel is allowed.

6. The writ petition is accordingly disposed of on being withdrawn, with liberty to file afresh.

JUDGE

Comparing Assistant