GAHC010203022021

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

Case No. : WP(C)/6516/2021

FULERCHAR GAON PANCHAYAT SAMABAY SOMITI LTD
REPRESENTED BY ITS SECRETARY
AKHERUZZAMAN SHEIKH
AGE 39 YEARS
S/O LATE MOSLEMUDDIN SHEIKH
R/O VILL. FULERCHAR PART-III(PURAN SUKCHAR)
P.O. FULERCHAR
P.S. SOUTH SALMARA
DIST. SOUTH SALMARA MANKACHAR
PIN 783135.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
DISPUR
GUWAHATI-6

2:THE DIRECTOR

FOOD CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
DISPUR
GUWAHATI-6

3:THE DEPUTY COMMISSIONER

SOUTH SALMARA
MANKACHAR DISTRICT
HATSINGIMARI
ASSAM.

4:THE REGISTRAR OF COOPERATIVE SOCIETIES

ASSAM
KHANAPARA
GUWAHATI-22

5:THE ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES

HATSINGIMARI.

6:THE SUB-DIVISIONAL OFFICER(CIVIL)
HATSINGIMARI.

For the Petitioner(s) : Mr. A.D. Choudhury, Advocate

For the Respondent(s) : Ms. S. Konwar,
Government Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 03.10.2024

Heard Mr. A.D. Choudhury, the learned counsel appearing on behalf of the petitioner and Ms. S. Konwar, learned Government Advocate appears on behalf of the respondent Nos. 1, 2, 3 and 6. None appears on behalf of the Co-operation Department on call.

2. The instant writ petition is taken up at the motion stage for disposal taking into account that the writ petition was filed in the year 2021 and the instructions have also been placed before this Court.

3. From a perusal of the writ petition, it reveals that the petitioner is a Co-operative Society registered under the provisions of the Assam Co-

operative Societies Act, 2007. Pursuant thereto, the petitioner had sought for being issued a PDS License and was forwarded by the Assistant Registrar of Co-operative Societies on 22.06.2015.

4. In the records of the instant writ petition there is nothing mentioned as to why after 6(six) years from 2015, the petitioner has approached this Court in the year 2021.

5. Be that it as may, it is seen that the petitioner herein applied in the year 2015 and the writ petition was filed in the year 2021 and at present as this Court takes up the instant writ petition another 3 years have already passed by.

6. The learned counsel appearing on behalf of the petitioner submits that various further changes may have taken place in the meantime and as such taking into account the above the petitioner would be well advised to apply freshly for the PDS License if the petitioner is further interested in getting the license.

7. Taking into account the above, this Court without going into the merits closes the instant writ petition in view of the submission made by the learned counsel for the petitioner.

8. It is made clear that closing of the instant writ petition would not be a bar or cause prejudice to the petitioner in freshly applying for the PDS License, if so advised.

JUDGE

Comparing Assistant