

GAHC010206332024



2024:GAU-AS:12740

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

Case No. : WP(C)/5190/2024

TRAILOKYA MOHAN NATH AND ANR
(PRESIDENT- BIHAGURI SATURDAY WEEKLY MARKET UNNAYAN
COMMITTEE), SON OF LATE PUNA RAM NATH, R/O- PITHAKHOWA, P.O.
PITHAKHOWA, PIN- 784173, DIST. SONITPUR, ASSAM

2: HIREN BORA
(SECRETARY- BIHAGURI SATURDAY WEEKLY MARKET UNNAYAN
COMMITTEE)
SON OF MOHAN BORA
R/O- PITHAKHOWA
P.O. PITHAKHOWA
PIN- 784173
DIST. SONITPUR
ASSA

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR-6,
ASSAM

2:THE DISTRICT COMMISSIONER

SONITPUR
P.O. AND P.S. TEZPUR
PIN- 784001
DIST. SONITPUR
ASSAM

3:THE CHIEF EXECUTIVE OFFICER
ZILLA PARISHAD
SONITPUR
TEZPUR

P.O. AND P.S. TEZPUR
PIN- 784001
DIST. SONITPUR
ASSAM

4:THE BLOCK DEVELOPMENT OFFICER
BIHAGURI DEVELOPMENT BLOCK
BIHAGURI
P.O. BIHAGURI
PIN- 784153
DIST. SONITPUR
ASSAM

5:THE BIHAGURI CO-OPERATIVE SOCIETY LTD.

REPRESENTED BY ITS PRESIDENT
BIHAGURI
P.O. BIHAGURI
PIN- 784153
DIST. SONITPUR
ASSAM

6:LAKHYA JYOTI HAZARIKA
S/O- JIWAN HAZARIKA
R/O- VILL.- BORDUBIA
P.O. PITHAKHOWA
PIN- 784173
DIST. SONITPUR
ASSA

Advocate for the Petitioner : MR. K BORUAH, MR. P BORDOLOI

Advocate for the Respondent : GA, ASSAM, SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

16.12.2024

Heard Mr. P. Bordoloi, learned counsel for the petitioners. Also heard Mr. S. Dutta, learned counsel for the P&RD Department.

2. The petitioners' counsel submits that in terms of the Letter of Agreement dated 01.09.2023 executed between the petitioner and the respondent No.4 to run the Saturday Weekly Market under the Bihaguri Development Block, the agreement could be terminated only from an order from the District Administration. However, without any order being issued by the District Administration, the respondent No.6 has been allowed to operate the Saturday Weekly Market. He submits that the petitioners have accordingly submitted an application dated 09.09.2024 to the respondent No.3, to take a decision on the petitioners' representation to allow the petitioners to run the said weekly market. However, no decision has been taken by the respondent No.3 till date. He accordingly submits that the present writ petition can be disposed of, if the respondent No.3 is directed to take a decision on the petitioners' representation within a specified time period.

3. Mr. S. Dutta, learned counsel for the P&RD submits that he has got no objection to the prayer made by the petitioners' counsel.

4. In view of the consent of both the parties, the respondent No.3 is directed to take a decision on the petitioner's application dated 09.09.2024, within a period of 2 (two) weeks from the date of receipt of a certified copy of this order.

5. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant