

GAHC010213412024



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

Case No. : WP(C)/5297/2024

PRASANTA BAYAN
SON OF SANKAR BAYAN,
RESIDENT OF VILLAGE PUBHATI,
NEAR SHIV MANDIR, KALIBARI, BENGALIPARA,
BHOWANIPUR, P.S.- SARUPETA, DISTRICT- BARPETA (ASSAM),
PIN- 781352.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY
ENVIRONMENT AND FOREST DEPARTMENT,
ASSAM SECRETARIAT, DISPUR,
GUWAHATI- 781006.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF
FOREST FORCE
ASSAM
PANJABARI
GUWAHATI- 37.

3:THE DIVISIONAL FORESTS OFFICER
NORTH KAMRUP DIVISION
RANGIA

Advocate for the Petitioner : MR. J SARMAH,

Advocate for the Respondent : SC, FOREST,

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

Date : 08-10-2024

Heard Mr. J Sarmah, learned counsel for the petitioner. Also heard Mr. R Gogoi, learned standing counsel appearing on behalf of the Forest Department.

The petitioner is engaged by state agencies in a contractual work for construction of certain roads and the nearby mining contract area in Bandorkhua sandstone, Bandorkhua. According to the petitioner, he had made representation before the DFO, N.K. Division to allow him to remove required quantity of sand/stone/earth from the said mining contact area, however, such representation has not been considered yet and in the meantime, as the construction project is getting delayed, he may be penalized by his employer.

Mr. R Gogoi learned standing counsel submits that as the petitioner has already filed a representation, the same shall definitely be considered by the concerned DFO, of N.K. Division.

In view of the aforesaid consensus, the writ petition stands disposed of by allowing the petitioner to submit a copy of this order along with a fresh representation before the DFO, concerned and the DFO shall pass a speaking order in this regard within a period of one week from the date of receipt of a certified copy of this order.

The writ petition stands disposed of.

JUDGE

Comparing Assistant