

GAHC010248162019



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

Case No. : WP(C)/7657/2019

BINA SHEEL
W/O- LATE KHAGENDRA NATH SEAL @ KHAGENDRA MOHAN SHIL, R/O-
KALIBARI, GAURIPUR, WARD NO.2, DIST- DHUBRI, ASSAM, PIN- 783331

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM,
MUNICIPAL ADMINISTRATIVE DEPTT, DISPUR, GUWAHATI- 6

2:THE DEPUTY COMMISSIONER
DHUBRI
PIN- 783301

3:THE GAURIPUR TOWN COMMITTEE
REP. BY ITS CHAIRMAN
WARD NO.4 GAURIPUR TOWN
P.O GAURIPUR
DIST- DHUBRI
ASSAM
PIN- 783331

4:SRI SRI SHYAM SUNDER MANDIR AND DHARAMSALA MANAGEMENT
COMMITTEE
REP. BY ITS SECRETARY WARD NO.3
P.O AND P.S- GAURIPUR
DIST- DHUBRI
ASSAM

5:ARATI SIL
W/O- LATE DILIP KR SIL
R/O- GAURIPUR WARD NO. 2
DIST- DHUBRI
ASSAM

PIN- 788331

6:DIBYA JYOTI SIL
S/O- LATE DILIP KR SIL
R/O- GAURIPUR WARD NO.2
DIST- DHUBRI
ASSAM
PIN- 78333

Advocate for the Petitioner : MR. M J BARUAH, MS B MAJUMDER

Advocate for the Respondent : GA, ASSAM, MR. S K GHOSH

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

16.09.2024

Mr. M.J. Baruah, learned counsel for the petitioner submits that the petitioner has expired and though he had prayed for time on 24.02.2023 to take appropriate steps, he has not been able to communicate with the legal heirs of the deceased petitioner. He accordingly submits that he may be allowed to withdraw the writ petition, with liberty to file afresh, if the cause of action still arises with the legal heirs of the deceased writ petitioner.

Ms. U. Das, learned counsel appears for the respondent nos.1 & 2, while Ms. F. Ahmed, learned counsel appears for the respondent nos.5 & 6.

The prayer of the petitioner's counsel is allowed.

The writ petition is dismissed as withdrawn, with liberty as prayed for.

JUDGE

Comparing Assistant