

GAHC010254812023



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

Case No. : WP(C)/6552/2023

IMAMUL HAQUE
S/O- MD. SAFIQUUL HOQUE,
R/O- VILLAGE- PADUMONI GAON,
P.O.- KAKATIGAON, P.S.- KAMPUR,
DISTRICT- NAGAON, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
FOREST DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE
ASSAM
PANJABARI
GUWAHATI- 781037.

3:THE CONSERVATOR OF FOREST
NORTHERN ASSAM CIRCLE
TEZPUR
ASSAM.

4:THE DIVISIONAL FOREST OFFICER
NAGAON DIVISION
DISTRICT NAGAON
ASSAM

Advocate for the Petitioner : MR B D DAS

Advocate for the Respondent : SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

26.07.2024

1. Heard Mr. H.R. Das, learned counsel appearing on behalf of Mr. B.D. Das, learned counsel for the petitioner. Also heard Mr. R.R. Gogoi, learned Standing Counsel for all the respondents.
2. The petitioner's grievance is that though the petitioner had submitted an application dated 04.10.2023 for surrender of his lease in respect of Chaparmukh-Kopili Nodi Sand Permit Area Part-1(B) in Nagaon District, the respondents have not taken a decision on the same till date.
3. Mr. R.R. Gogoi has submitted letter no.eCF No.423014/96 dated 29.06.2024 issued by the Secretary to the Government of Assam, Environment & Forest Department, which is to the effect that the Government of Assam has approved the proposal of the petitioner for surrender of the contract work of extraction of Sand from Chaparmukh-Kopili Nodi Sand Permit Area Part-1(B) under Nagaon Division, Nagaon, as per the Rule 21 of AMMCR, 2013. The letter dated 29.06.2024 mentioned above is made a part of the record and marked as Annexure-X.
4. In view of the letter dated 29.06.2024 issued by the Secretary to the Government of Assam, Environment & Forest Department, the present writ

petition has become infructuous.

5. The respondents shall accordingly refund the security deposit made by the petitioner, in terms of the letter dated 10.07.2024 issued by the Deputy Conservator of Forests (M&E), office of the Principal Chief Conservator of Forests & Head of Forest Force, which is made a part of the record and marked as Annexure-Y. The refund of the security deposit should be made as soon as the petitioner executes the surrender agreement.

6. The writ petition is accordingly disposed of.

JUDGE

Comparing Assistant