

GAHC010263352017



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

Case No. : WP(C)/4782/2017

UTPAL KALITA
S/O- LATE MAHESWAR KALITA, R/O- SENAPATI ROAD, SILPUKHURI,
GUWAHATI- 781003, DIST- KAMRUPM, ASSAM

VERSUS

THE STATE OF ASSAM and ANR.
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVT OF
ASSAM, HANDLOOM AND TEXTILES AND SERICULTURE DEPTT., DISPUR,
GUWAHATI- 781006

2:THE DIRECTOR OF HANDLOOM AND TEXTILE
ASSAM
VASTRA BHAWAN
AMBARI
GUWAHATI- 78100

Advocate for the Petitioner : MRS.J BORAH, MR. J ROY,MR.D BANIA,MR.R
MAJUMDAR,MR.S C BISWAS

Advocate for the Respondent : , GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

12.09.2024

1. None appears for the petitioner on call. However, Mr. R. Dhar, learned Standing

Counsel for the Handloom and Textile Department appearing for the respondent is present.

2. It is the case of the petitioner that pursuant to a NIT issued by the respondent No. 2 inviting tender to run the weavers Guest House in the 5th Floor of Directorate of Handloom and Textiles, Assam, the petitioner was awarded the contract to run the said guest house initially for a period of 3 years with effect from handing over the guest house with a provision for extension of another 2-3 years at a monthly rent of Rs. 15,330/-.
3. However, by an order dated 22.06.2017, the respondent No. 2 closed the guest house run by the petitioner with immediate effect. The petitioner was also asked to vacate the guest house and thereafter, the petitioner preferred a representation on 23.06.2017 before the respondent No. 2, praying for reconsideration of the matter and to allow him to run the guest house for a period of 3 years as per deed of agreement. However, the same was not considered by the respondent department and being aggrieved, the petitioner preferred a writ petition being WP(C) No. 3995/2017 which was disposed of by this Court under its order dated 30.06.2017 with a direction to the respondent No. 2 to consider the representation dated 23.06.2017 and pass appropriate order thereon within a period of 4 (four) weeks from the date of passing of the order. Subsequently, such representation was rejected by an order 29.07.2017, which is under challenge in the present writ petition.
4. Referring to the affidavit filed, Mr. Dhar, learned Standing Counsel for the Handloom and Textile Department submits that the guest house was permitted to run unauthorizedly and subsequently a policy decision was taken to convert the guest house into office of the department and accordingly, there is no guest house existing as on date.

5. It is submitted by Mr. Dhar, learned Standing Counsel that such decision to discontinue the guest house was also challenged by the petitioner in WP(C) No. 2684/2020, which was also dismissed by this Court under its order dated 05.08.2024 for non prosecution.
6. Be that as it may, as none appears for the petitioner, the present writ petition stands dismissed for non prosecution.

JUDGE

Comparing Assistant