

GAHC010268232018



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

Case No. : WP(C)/8383/2018

M/S. SAMSON TIMBER INDUSTRIES PVT. LTD.
A PROPRIETORSHIP FIRM, HAVING ITS PLACE OF BUSINESS SITUATED AT
P.O. TAZIT, P.S. TAZIT, DISTRICT MON, NAGALAND. REPRESENTED BY ITS
PROPRIETOR BHANWAR SINGH RATHOURE, AGED ABOUT 55 YEARS.

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPTT. OF ENVIRONMENT AND FOREST, DISPUR, GUWAHATI-
781006, ASSAM.

2:ASSAM STATE AGRICULTURE MARKETING BOARD
REP. BY ITS CHIEF EXECUTIVE OFFICER
R.K. MISSION ROAD
ULUBARI
GUWAHATI- 781007
ASSAM.

3:SIVASAGAR DISTRICT REGULATED MARKET COMMITTEE
SIVASAGAR DIVISION
SIVASAGAR
ASSAM.

4:MARKETING INSPECTOR
SONARI FIELD
SIVASAGAR DISTRICT REGULATED MARKET COMMITTEE
SIVASAGAR DIVISION
SIVASAGAR
ASSAM

Advocate for the Petitioner : MR A TEWARI, MS. P ADHIKARI,MR. D WANGDI,MS

NILAKSHI SARMA,MS. R R DAS

Advocate for the Respondent : SC, FOREST, MR. N J GOGOI (SC, A S A M B)

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 11-11-2024

Mr. A. Tewari, learned counsel for the petitioner and Mr. N.J. Gogoi, learned Standing Counsel, Assam State Agricultural Marketing Board [ASAMB] for the respondents nos. 2-4 are present.

2. It has been submitted by Mr. Gogoi, learned Standing Counsel, ASAMB that in view of an order passed under Memo no. ASAMB/Dev/913/2020/16-A dated 12.06.2020, the subject-matter of the writ petition has become infructuous. The contents of the order dated 12.06.2020 read as under :-

ORDER

Dated Guwahati, the 12th June, 2020

No. ASAMB/Dev/913/2020/16: In pursuance upon the Ordinance No. 10 of 2020 passed by Union Government published in the Gazette on 5th June, 2020 on the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance 2020. As per Section 6, "No market fee or cess or levy, by whatever named called, under any State APMC Act or any other State law, shall be levied on any farmers or trader or electronic trading and transaction platform for trade and commerce in schedule farmers produce in a trade area". However, it may be noted that physical boundaries of notified Principal Market Yards and Sub-Market Yards and market sub-yards managed and run by the Market Committees formed under its State APMC Act in force in India are excluded from the trade area.

Therefore, all the concerned is directed to strictly adhered to the above

Ordinance/Order (copy enclosed) in letter and spirit with immediate effect. Any contravention to the aforesaid Section shall be treated as criminal offence and legal action against the defaulting incumbents shall be initiated as per rules and regulation.

Sd-

Chief Executive Officer

3. In response, Mr. Tewari, learned counsel for the petitioner has endorsed the submission of Mr. Gogoi, learned Standing Counsel, ASAMB that in view of the above Order dated 12.06.2020, the subject-matter of the writ petition has become infructuous.
4. As submitted by the learned counsel for the petitioner and the respondent authorities in the ASAMB that the subject-matter of the writ petition has been rendered infructuous, the writ petition stands closed. Interim orders, if any, passed earlier stands accordingly recalled.
5. A copy of the Order under Memo no. ASAMB/Dev/913/2020/16-A dated 12.06.2020 is kept with the record.

JUDGE

Comparing Assistant