

GAHC010268332024



2024:GAU-AS:13064

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

Case No. : WP(C)/6911/2024

ANAND SINGH
S/O-LATE JOGENDRA SINGH,
R/O- BOKAJAN TOWN,
WARD NO-3,
P.O AND P.S-BOKAJAN, DIST- KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, URBAN DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-
781006

2:THE BOKAJAN MUNICIPAL BOARD
REP. BY THE CHAIRMAN
BOKAJAN
KARBI ANGLONG
ASSAM

3:THE CHAIRMAN
BOKAJAN MUNICIPAL BOARD
BOKAJAN
KARBI ANGLONG
ASSAM

4:THE ASSAM POWER DISTRIBUTION CORPORATION LIMITED (APDCL)

REP. BY ITS CHAIRMAN
BIJULEE BHAWAN
GUWAHATI- 781001

5:THE SDO (CIVIL)

BOKAJAN
KARBI ANGLONG
PIN-782480

6:THE SUB DIVISIONAL ENGINEER
BOKAJAN ELECTRICAL SUBDIVISION

KARBI ANGLONG
PIN-78248

For the Petitioner(s) : Mr. B. P. Borah, Advocate

For the Respondent(s) : Mr. B. Choudhury, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 20.12.2024

The Petitioner herein is aggrieved by the disconnection of the power pertaining to Consumer No. 156010060271 by the APDCL Authorities and it is under such circumstances the instant writ petition has been filed.

2. Mr. B. Choudhury, the learned Standing counsel appearing on behalf of the APDCL Authorities submitted that the instant writ petition suffers from suppression of material facts inasmuch as it has not been mentioned that the said disconnection was made at the request of one Smti. Shanti Devi who is the wife of the Petitioner's father.

3. Be that as it may, the learned Standing counsel further submitted that the Petitioner thereupon has applied for a fresh temporary connection on 29.10.2024 by making a payment of Rs.12,200/-. It has been further submitted that a fresh temporary connection thereupon has also been given to the Petitioner pertaining to Consumer No.

156010074283.

4. Mr. B. P. Borah, the learned counsel appearing on behalf of the Petitioner submitted that he had not been informed about this development.

5. The learned counsel appearing on behalf of the Petitioner further submitted that the Petitioner has also assailed the order dated 07.10.2024 issued by the Chairman, Bokajan Municipal Board. It is the opinion of this Court that the Petitioner has an alternative and efficacious appellate remedy and as such the question of entertaining a writ petition to a challenge to the transfer of holding cannot be made.

6. Accordingly, the instant writ petition stands closed. However, the Petitioner would be at liberty to avail such alternative remedy as available under the Assam Municipal Act, 1956, against the order dated 07.10.2024.

7. The documents which have been placed before this Court by Mr. B. Choudhury, the learned Standing counsel is kept on record and marked with letter "X".

JUDGE

Comparing Assistant