

GAHC010270012023



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

**Case No. : WP(C)/7553/2023**

KUMUD GOALA  
S/O- LATE SITARAM GOALA,  
R/O- N.S. AVENUE, SILCHAR,  
HAILAKANDI ROAD,  
DISTRICT- CACHAR, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS  
THROUGH-  
THE SECRETARY,  
TO THE GOVERNMENT OF ASSAM,  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,  
DISPUR, GUWAHATI- 781006.

2:THE DISTRICT COMMISSIONER  
CACHAR  
SILCHAR  
DISTRICT- CACHAR

ASSAM  
PIN- 788001.

3:THE SILCHAR DEVELOPMENT AUTHORITY  
REPRESENTED BY ITS CHAIRMAN

P.O. AND P.S.- SILCHAR

DISTRICT- CACHAR  
ASSAM.

4:THE NATIONAL INSITITUTE OF TECHNOLOGY

SILCHAR  
REPRESENTED BY ITS REGISTRAR

P.O.- NIT  
P.S.- SILCHAR

DISTRICT- CACHAR  
ASSAM

**For the petitioner (s) : Mr. J. Laskar, Advocate**

For the respondent (s) : Mr. K. Biswakarma, Advocate

BEFORE  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**  
O R D E R

24.07.2024

Heard Mr. J. Laskar, the learned counsel appearing on behalf of the petitioner and Mr. A. Baruah, the learned counsel appearing on behalf of the respondent No.1. Also heard Mr. S. Bora, the learned counsel appearing on behalf of the respondent No.2 as well as Mr. K. Biswakarma, the learned counsel appearing on behalf of the respondent No.3. None appears on behalf of the respondent No.4.

2. The instant writ petition has been filed by the petitioner being aggrieved by the action on the part of the respondent No.4 in not permitting the petitioner to carry out the construction of the building inspite of the fact that the petitioner herein is the owner of the land and has due permission to construct thereupon.

3. This Court is of the opinion that the dispute between the petitioner and the respondent No.4 is a private dispute and there is no public law

element involved. Under such circumstances, this Court is not inclined to entertain the instant writ petition under Article 226 of the Constitution. Be that as it may, the petitioner herein is always at liberty to file a suit seeking appropriate declarations and injunction, if so advised.

4. In view of the above, the instant writ petition stands disposed of.

**JUDGE**

**Comparing Assistant**