GAHC010168322020

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

Case No. : WP(C)/5064/2020

SAYEED ANAM RAHMAN
S/O LATE MUHIBUR RAHMAN
VILLAGE RAJAMAIDAM, NEW COLONY, JORHAT, PO , PS AND DIST JORHAT, ASSAM

VERSUS

THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM AND 4 ORS
MUNICIPAL CORPORATION DEPARTMENT, DISPUR GUWAHATI 06

2:THE DEPUTY COMMISSIONER
JORHAT
JORHAT
ASSAM

3:THE JORHAT MUNICIPAL BOARD
JORHAT

REPRESENTED BY ITS CHAIRMAN
JORHAT
DISTRICT JORHAT
ASSAM

4:THE EXECUTIVE OFFICER.
JORHAT MUNICIPAL BOARD
JORHAT ASSAM

5:SRI MOUSUMI ZILLEE
W/O LATE ABHIJEET ZILLEE
VILLAGE RAJAMAIDAM
NEW COLONY JORHAT

PO PS AND DIST JORHAT
ASSAM 78500

Advocate for the Petitioner : MR. R ALI
Advocate for the Respondent : GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE SUMAN SHYAM

18.12.2020

Heard Mr. PJ Saikia, learned counsel appearing for the writ petitioner.

Alleging that illegal constructions are being carried out by the respondent No.4 and being aggrieved by the failure of the Jorhat Municipal Board to take appropriate action in the matter, the petitioner has approached this Court by filing the instant writ petition.

Mr. BD Das, learned senior counsel assisted by Ms. K Phukan, learned counsel appears for Jorhat Municipal Board, i.e. the respondent Nos.3 and 4 submits that the Board has already issued a "stop construction" notice and the matter is being looked into. He also submits that upon due verification, appropriate action, as may be permissible under the law, shall be initiated after hearing both sides.

Taking note of the submission made by the learned senior counsel appearing for the Jorhat Municipal Board and as agreed to by Mr. PJ Saikia, learned counsel for the petitioner, this writ petition is closed by granting leave to the respondent Nos.3 and 4 to take appropriate action in the matter by following the due process of law.

The writ petition stands disposed of.

JUDGE

Comparing Assistant