

Assam vs The State Of Assam And 2 Ors on 17 November, 2023

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Bench: Kalyan Rai Surana

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GAHC010121352022

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

Case No. : WP(C)/4148/2022

M/S MB OMM
GUIJAN GHAT, POST OFFICE- RANGAGORAH, GUIJAN, DISTRICT-
TINSUKIA, ASSAM, PIN CODE- 786147 HAVING GST REGISTRATION NO.
18AVWPD8621M1ZU AND LICENSE NO. 10317017000176 ISSUED UNDER
FOOD SAFETY AND STANDARDS ACT, 2006 BY THE GOVERNMENT OF
ASSAM, COMMISSIONERATE OF FOOD SAFETY, ASSAM, UNDER HEALTH
AND FAMILY WELFARE DEPARTMENT, ASSAM, A HOUSE BOAT, WHICH IS
A PROPRIETORIAL CONCERN OF SRI PRASSANNA DAS, AGED ABOUT 62
YEARS, SON OF LATE PARSURAM DAS, RESIDENT OF VILLAGE- GUIJAN,
POST OFFICE- RANGAGORAH, POLICE STATION- TINSUKIA, DISTRICT-
TINSUKIA (ASSAM).

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, TOURISM DEPARTMENT, DISPUR, GUWAHATI-
781006.

2:THE ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008
REPRESENTED BY THE MANAGING DIRECTOR
ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008.

3:THE MANAGING DIRECTOR

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ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008

Advocate for the Petitioner : MR. S BANIK

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/5687/2022

M/S MB OMM
GUIJAN GHAT
P.O- RANGAGORAH
GUIJAN
DIST- TINSUKIA
ASSAM
PIN-786147

HAVING GST REGD NO.-18AVWPD8621M1ZU AND LICENSE NO.
10317017000176 ISSUED
UNDER FOOD SAFETY AND STANDARDS ACT
2006 BY THE GOVT. OF ASSAM

COMMISSIONERATE OF FOOD SAFETY
ASSAM
UNDER HEALTH AND FAMILY WELFARE DEPARTMENT
ASSAM

A HOUSE BOAT
WHICH IS PROPRIETORIAL CONCERN OF PRASSANNA DAS

AGE -62 YRS

S/O- LATE PARSURAM DAS

R/O- VILLAGE GUIJAN

P.O- RANGAGORAH

P.S AND DIST- TINSUKIA

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VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
TOURISM DEPARTMENT
GOVT. OF ASSAM
SACHIVALAYA
DISPUR
GUWAHATI- 781006
ASSAM.

2:THE ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008

REPRESENTED BY THE MANAGING DIRECTOR
ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008.
3:THE MANAGING DIRECTOR

ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008.
4:TECHNICAL EVALUATION COMMITTEE
REP. BY ITS CHAIRMAN PRABHASH CH. SARMA
ADDL. GEN. MANAGER (I)

ASSAM TOURISM DEVELOPMENT CORPORATION LIMITED
ASOM PARYATAN BHAWAN (4TH FLOOR)
A.K. AZAD ROAD
PALTAN BAZAR
GUWAHATI- 781008.
5:PADMINI RESORTS
REP. BY ONE OF ITS PARTNERS VIVEK AGARWAL

BAZALTOLI BANGALI GAON
P.O- RANGAGORAH
P.S AND DIST- TINSUKIA

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ASSAM
6:PRISMATIC HOTELS PRIVATE LIMITED
A PRIVAATE LIMITED COMPANY REP. BY PRANJAL KUMAR MOHAN

DIRECTOR OF PRISMATIC HOTELS PRIVATE LIMITED

RANGAGORA ROAD
AROMA RESIDENCY
TINSUKIA ASSAM
PIN-786125

Advocate for : MR. S BANIK

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 17.11.2023 Both sides are duly represented.

Mr. P.K. Sarma, learned counsel for the ATDC submits that he has received the instruction and he would be filing affidavit-in-opposition within a week's time. Reluctantly, the matter stands adjourned as a last opportunity to the respondents to file affidavit-in-opposition in the matter.

The respondents are put to notice that in the event no affidavit-in- opposition is filed within the time allowed, the Court may invoke the doctrine of non-traverse and presume that the respondents have admitted the claim of the petitioner and pass appropriate orders on the next date.

List on 01.12.2023.

Interim order passed earlier stands extended till the next date of listing.

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