

GAHC010023192023



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

Case No. : I.A.(Civil)/295/2023

RAKHALDUBI ANCHALIK MARKET AND ANR.
REP. BY ITS PRESIDENT SRI OSIM UDDIN AHMED, AGED ABOUT 52
YEARS, S/O LT/ INTAZ ALI, R/O VILL. TIAPARA, P.O. JOYPUR BAZAR, P.S
GOALPARA RIVER, DIST. GOALPARA, ASSAM, PIN-783129

2: MONIR UDDIN
S/O LT. ASMOT ALI
R/O VILL. RAKHALDUBI
P.O. BALARBHITA
P.S BAGUAN
DIST. GOALPARA
ASSAM PIN-783129
SECRETARY
RAKHADUBI ANCHALIK MARKET
RAKHADUBI
GOALPARA
ASSA

VERSUS

THE STATE OF ASSAM AND 9 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPTT. DISPUR, GUWAHATI-
781006

2: THE DIRECTOR OF PANCHAYAT AND RURAL DEVELOPMENT
GOVT. OF ASSAM
KANAPARA
GUWAHATI-781022

3: THE DEPUTY COMMISSIONER
GOALPARA
ASSAM PIN-783101

4:THE ADDITIONAL DEPUTY COMMISSIONER
GOALPARA
DIST. GOALPARA
ASSAM
DIST. GOALPARA
ASSAM

5:THE DISTRICT DEVELOPMENT COMMISSIONER
GOALPARA
PIN-783101
ASSAM

6:THE GOALPARA ZILLA PARISHAD
REP. BY THE CHIEF EXECUTIVE OFFICER
GOALPARA ZILLA PARISHAD
GOALPARA
ASSAM
PIN-783101

7:THE KHARMUJA ANCHALIK PANCHAYAT
REP. BY THE SECRETARY CUM B.D.O. KHARMUJA DEVELOPMENT
BLOCK
P.O. KHARMUJA
P.S. BAGUAN
DIST. GOALPARA
ASSAM
PIN-783129

8:THE BLOCK DEVELOPMENT OFFICER
KHARMUJA DEVELOPMENT BLOCK
P.O. KHARMUJA
P.S. BAGUN
DIST. GAOLPARA
ASSAM
PIN-783129

9:THE ROWMARI GAON PANCHAYAT
REP. BY ITS SECRETARY P.O. JOYPUR BAZAR
P.S. BAGUAN
DIST. GAOLPARA
ASSAM
PIN-783129

10:ROWMARI MARKET
REP. BY ITS PRESIDENT P.O. JOYPUR BAZAR
P.S. BAGUAN
DIST. GAOLPARA
ASSAM

PIN-78312

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/764/2020

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Advocate for : MR. K N CHOUDHURY

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 9 ORS.

B E F O R E
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

20.02.2024

Heard Mr. HRA Choudhury, learned Senior Counsel assisted by Ms. M.H. Choudhury, learned counsel for the applicants. Also heard Ms. U. Das, learned Addl. Senior Government Advocate, Assam for respondent Nos. 3, 4 and 5 and Mr. S. Dutta, learned Standing Counsel for respondent Nos. 1, 2, 6, 8, 7 and 9 and Ms. J. Das, learned counsel for respondent No. 10.

This is an application seeking alteration/modification/clarification of the Order dated 02.09.2022 passed in IA(C) No. 2614/2022 arising out of WP(C) No. 764/2020. By Order dated 02.09.2022 passed in the aforesaid IA, this Court clarifies that the operation of the cattle market by the writ petitioner would be subject to the requirements of the Assam Cattle Preservation Act, 2021.

During the pendency of the present IA, the petitioner has already been issued NOC by the District Development Commissioner to operate cattle market in his private land. Accordingly, the grievance canvassed in the present IA seeking clarification of the Order dated 02.09.2022 is already readdressed. As such, nothing survives in the present IA.

Accordingly, the IA stands disposed of as being infructuous.

JUDGE

Comparing Assistant