

GAHC010098182024



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

**Case No. : WP(C) 1193/2024**

CHANCHAL RANJAN DUTTA AND 27 ORS  
AGED ABOUT 53 YEARS  
SON OF LATE ANANDA MOHAN DUTTA  
LANKA SANTI PARA  
WARD NO-9  
P.O AND P.S- LANKA  
DIST- HOJAI  
PIN- 782446  
ASSAM

2: NIRMAL CHANDRA MAZUMDAR  
AGED ABOUT 57 YEARS  
SON OF LATE KANAI LAL MAZUMDAR  
RESIDENT OF PANJABI BASTI  
P.O AND P.S - LANKA  
DIST- HOJAI  
PIN NO.- 782446  
ASSAM

3: ALAL UDDIN  
AGED ABOUT 66 YEARS  
SON OF SALIM UDDIN  
RESIDENT OF VILLAGE- SAMBORIA  
P.O AND P.S- LANKA DIST-HOJAI  
PIN.NO-782446 ASSAM

4: NITTA LAL SAHA  
AGED ABOUT 53 YEARS  
SON OF LATE BHOBA RANJAN SAHA  
RESIDENT OF ADARSA PALLY  
WARD NO-6 P.O AND P.S- LANKA  
DIST- HOJAI  
PIN NO.- 782446  
ASSAM

5: RATAN SAHA  
AGED ABOUT 48 YEARS  
SON OF LATE NITAI SAHA  
RESIDENT OF NIBEDITA LANE  
WARD NO-9  
P.O AND P.S-LANKA

DIST-HOJAI  
PIN-782446

ASSAM

6: JIBAN DHAR  
AGED ABOUT 47 YEARS

SON OF LATE BIRENDRA DHAR

RESIDENT OF LANKESWRI GRANT

WARD NO-6  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

7: RAJU SHILL  
AGED ABOUT 38 YEARS

SON OF LATE NITAI SHILL

GOBINDA POLLY  
WARD NO-8  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

8: DRUPADI BISWAS  
AGED ABOUT 51 YEARS

COW MARKET  
WARD NO-9

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

9: RAJU CHANDRA DUTTA  
AGED ABOUT 42 YEARS

SON OF KHOGENDRA DUTTA

NETAJI ROAD  
WARD NO-9  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

10: ROBI SHILL  
AGED ABOUT 43 YEARS

SON OF LATE NITAI SHILL

GOBINDA POLLY  
WARD NO-8

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

11: TAPAN DHAR  
AGED ABOUT 48 YEARS

SON OF LATE BIRENDRA DHAR

LANKESWARI GRANT  
WARD NO-6  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

12: SMTI. BHARATI CHANDA  
DAUGHTER OF BIPUL CHANDA

ASEB COLONY  
WARD NO-1

P.O AND P.S- LANKA  
DIST- HOJAI  
PIN-782446  
ASSAM

13: SWAPAN CHANDA  
AGED ABOUT 58 YEARS

SON OF LATE SUDHIR CHANDRA CHANDA

NAMGHAR ROAD  
WARD NO-6

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

14: NIPAN DEB  
AGED ABOUT 30 YEARS

SON OF NIKHIL DEB

RUPNAGAR  
WARD NO-2  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

15: JAKIR HUSSAIN  
AGED ABOUT 33 YEARS

SON OF AFAZ UDDIN  
SIMLAI PATHAR

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

16: ANUP SANA  
AGED BOUT 58 YEARS

SON OF LATE BIRAJ MOHAN SAHA

SWARUPANANDA ROAD

WARD NO-6  
P.O AND P.S- LANKA  
DIST- HOJAI  
PIN-782446  
ASSAM

17: AMAR CHANDA  
AGED ABOUT 54 YEARS

SON OF LATE PRASANA CHANDA

PASCHIM LANKA GAON  
BALUHADAR G.P  
WARD NO-9

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

18: AIBUR RAHMAN  
AGED ABOUT 46 YEARS

SON OF MANIR UDDIN

DABLONG  
P.O AND P.S- LANKA

DIST- HOJAI  
PIN-782446  
ASSAM

19: NARAYAN BISWAS  
AGED ABOUT 52 YEARS

SON OF BICHITRA BISWAS

JOYTI NAGAR  
WARD NO-10

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

20: NIMAI DAS  
SON OF SRIBASH DAS

PIPAL PUKHURI NO-2  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

21: BENU CHANDA  
AGED ABOUT 66 YEARS

SON OF LATE BAKUL CHANDA

LANKA GAON  
WARD NO-10  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

22: BISWAJIT NATH  
AGED ABOUT 38 YEARS

SON OF BIMOL NATH

AZARBARI (BISHNUOPUR)  
P.O AND P.S- LANKA

DIST- HOJAI  
PIN-782446  
ASSAM

23: BAPAN DAS  
AGED ABOUT 47 YEARS

SON OF NARENDRA DAS

LANKA GAON

P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

24: PRANAB DAS  
AGED ABOUT 43 YEARS

SON OF LATE NORESH DAS  
PASCHIM LANKA GAON  
(GOBINDA PALLY)  
P.O AND P.S- LANKA  
DIST- HOJAI

PIN-782446  
ASSAM

25: MONISH CHOKROBARTY  
AGED ABOUT 41 YEARS

LANKA  
P.O AND P.S- LANKA

DIST- HOJAI

PIN-782446  
ASSAM

26: MITHUN MAZUMDAR  
AGED ABOUT 38 YEARS

SON OF LATE RADHESHYAM MAZUMDAR

PASCHIM LANKA GAON

(GOVINDA PALLY)  
P.O AND P.S- LANKA

DIST- HOJAI  
PIN-782446  
ASSAM

27: SETAN DEY  
AGED ABOUT 60 YEARS

SON OF LATE KHIROD DEY

RUPNAGAR  
WARD NO-2

P.O AND P.S- LANKA

DIST- HOJAI

PIN-782446

ASSAM

28: MD. GAZIBUR RAHMAN  
SON OF LATE ABDUL MAZID

PASCHIM LANKA GAON

NOTUN BASTI

WARD NO-7

P.O AND P.S- LANKA

DIST- HOJAI

PIN-782446

ASSAM

VERSUS

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

2:THE DIRECTOR OF MUNICIPAL-ADMINISTRATION  
ASSAM SECRETARIAT COMPLEX

DISPUR

GUWAHATI- 781006

3:THE DEPUTY COMMISSIONER

HOJAI

DIST-HOJAI

PIN-782442. ASSAM

4:SUB DEPUTY COLLECTOR

LANKA CIRCLE CUM OFFICER-IN-CHARGE

LANKA MUNICIPAL BOARD

P.O- LANKA

P.S- LANKA

PIN- 782446

DIST- HOJAI

ASSAM

5:THE CHAIRMAN

LANKA MUNICIPAL BOARD

P.O. LANKA



PIN- 782446

DIST- HOJAI  
ASSAM  
6:SUB-DIVISIONAL OFFICER (CIVIL)  
HOJAI  
DIST-HOJAI

PIN- 782446  
ASSAM

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Advocate for : MR M CHANDA  
Advocate for : SC  
U D D appearing for THE STATE OF ASSAM AND 5 ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**ORDER**

**Date : 29.05.2024**

Heard Mr. S. Choudhury, learned counsel for the petitioners and Mr. K. Gogoi, learned counsel for the respondent Nos. 2, 3, 4 & 6. Also heard Ms. R. M. Baruah, learned counsel on behalf of Mr. P. Nayak, learned counsel for the respondent No. 1. No one appears for the respondent No. 5 even though notice was issued to the respondent No. 5 on 22.03.2024.

2. The petitioners' case is that the petitioners have been running their permanent wholesale raw vegetable business in their individual vitas/rooms in the Lanka Wholesale Vegetable Market in temporary tin sheds. However, the Lanka Municipal Board constructed a concrete building for running the Lanka Wholesale Vegetable Market.

3. The petitioners' grievance is that the Lanka Municipal Board has been collecting money from the businessman for allotment of the vitas/rooms in the new concrete building completed in the month of August/September, 2023.

4. The petitioner's counsel submits that the Lanka Municipal Board collected Rs. 5 Lakhs from various persons for distribution of forms for allotment of vitas/rooms in the new building, instead of allotting the vitas/rooms to the petitioners. He submits that the petitioners have submitted a representation dated 02.11.2023 to the Chairman, Lanka Municipal Board, Lanka, Hojai, praying for allotting vitas/rooms to the petitioners, as they have been doing day to day business for more than 20 years. He submits that the writ petition can be disposed of if the respondent No. 5 takes a decision on the representation dated 02.11.2023, within a specified time period.

5. Mr. K. Gogoi, learned counsel for the respondent Nos. 2, 3, 4 & 6 and Ms. R. M. Baruah, learned counsel on behalf of Mr. P. Nayak, learned counsel for the respondent No. 1 submit that they have got no objection to the prayer made by the petitioner's counsel.

6. In view of the consent of the parties, the respondent No. 5 is directed to take a decision on the petitioners' representation dated 02.11.2023, within a period of one month from the date of receipt of a copy of this order. The decision taken should thereafter be communicated to the petitioners.

7. The writ petition is accordingly disposed of.

**JUDGE**

**Comparing Assistant**