

GAHC010014112017



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

Case No. : WP(C)/1157/2017

RANJIT DAS
S/O SHRI BAPU RAM DAS R/O VILL- GARIGAON, P.O. DHARAPUR, P.S.
JALUKBARI, GUWAHATI DIST. KAMRUP, ASSAM.

VERSUS

THE UNION OF INDIA and 8 ORS.
REP. BY THE SECRETARY, MINISTRY OF ENVIRONMENT and FORESTS,
PARYAVARAN BHAWAN, JOR BAGH ROAD, NEW DELHI- 110003

2:THE DEPUTY CONSERVATOR OF FOREST CENTRAL
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT and FORESTS
NORTH EASTERN REGIONAL OFFICE
LAW-U SIB
LUMANTNGEN
NEAR M T C WORKSHOP
SHILLONG
PIN - 793021.

3:THE DIRECTOR

WILDLIFE INSTITUTE OF INDIA
POST BOX NO. 18
DEHRADUN - 248001
UTTARAKHAND.

4:THE STATE OF ASSAM
REP. BY THE PRINCIPAL
ENVIRONMENT and FORESTS DEPARTMENT
GOVT. OF ASSAM
GUWAHATI -6.

5:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEADS
OF FORESTS FORCE
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI - 781037

6:THE CHIEF CONSERVATOR OF FORESTS and NODAL OFFICER

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEADS
OF FORESTS FORCE
ASSAM
REHABARI
GUWAHATI - 781008.

7:THE ADDITIONAL PRINCIPAL CHIEF CONSERVATOR
OF FORESTS
LOWER ASSAM ZONE
KACHARIGHAT
GUWAHATI - 781001.

8:THE DIVISIONAL FOREST OFFICER

KAMRUP
WEST DIVISION
BAMUNIGAON
KAMRUP
ASSAM
PIN - 781141.

9:THE RANGE OFFICER

KULSI RANGE
KULSI
P.O. KULSI
P.S. PALASBARI DIST. KAMRUP
ASSAM

Advocate for the Petitioner : MS.N S THAKURIA, MR.G K THAKURIA

Advocate for the Respondent : ASSTT.S.G.I., GA, ASSAM

Linked Case : WP(C)/48/2017

ACHURJYA RABHA
S/O. SRI DHARANI KANTA RABHA
R/O. VILL. BEBERIPARA
P.O. DHANGARGAON
P.S. PALASBARI
DIST. KAMRUP
ASSAM
PIN. 7811225
MOBILE NO. 9678494574.

VERSUS

THE UNION OF INDIA and 7 ORS
REP. BY THE SECRETARY
MINISTRY OF ENVIRONMENT and FOREST
PARYAVARAN BHAWAN
JOR BAGH ROAD
NEW DELHI-110003.

2:THE DEPUTY CONSERVATOR OF FORESTS CENTRAL

GOVT. OF INDIA
MINISTRY OF ENVIRONMENT and FORESTS
NORTH EASTERN REGIONAL OFFICE
LAW-U-SIB
LUMANTNGEN
NEAR MTC WORKSHOP
SHILLONG
PIN. 793021.

3:THE DIRECTOR
WILDLIFE INSTITUTE OF INDIA

POST BOX NO. 18
DEHRADUN-248001
UTTARAKHAND.

4:THE STATE OF ASSAM
REP. BY ITS PRINCIPAL SECRETARY
ENVIRONMENT and FORESTS DEPTT.
GOVT. OF ASSAM
GUWAHATI-6.

5:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEAD OF FOREST
FORCE

ASSAM
REHABARI
GUWAHATI-781008.

6:THE CHIEF CONSERVATOR OF FORESTS and NODAL OFFICER

O/O. THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEAD OF
FOREST FORCE
ASSAM REHABARI
GUWAHATI-781008.

7:THE ADDL. PRINCIPAL CHIEF CONSERVATOR OF FORESTS

LOWER ASSAM ZONE
KACHARIGHAT
GUWAHATI-781001.

8:THE DIVISIONAL FOREST OFFICER
KAMRUP WEST DIVISION

BAMUNIGAON
PIN. 781141
KAMRUP
ASSAM.

Advocate for : MR.S SAIKIA
Advocate for : C.G.C. appearing for THE UNION OF INDIA and 7 ORS

Linked Case : WP(C)/1172/2017

MANIDIP RABHA and 2 ORS.
S/O. SRI MAHESWAR RABHA
R/O. VILL. KAHUA
P.O. RATANPUR
P.S. CHAYGAON
DIST. KAMRUP
ASSAM
PIN.- 781124.

2: SRI DHARMESWAR RABHA

S/O. LT. MULORAM RABHA
R/O. VILL. BECHIMARI
P.O. KULSI
P.S. PALASHBARI
DIST. KAMRUP

PIN.- 781125.

3: SRI MILAN CH RAVA

S/O. LT. GANESH RAVA
R/O. VILL. BOGAPANI
P.O. DHANGARGAON
P.S. PALASHBARI
DIST. KAMRUP
ASSAM.
VERSUS

THE UNION OF INDIA and 7 ORS.
REP. BY THE SECRETARY
MINISTRY OF ENVIRONMENT and FOREST
PARYAVARAN BHAWAN
JOR BAGH ROAD
NEW DELHI- 110003.

2: THE DY. CONSERVATOR OF FORESTS CENTRAL

GOVT. OF INDIA
MINISTRY OF ENVIRONMENT and FORESTS
NORTH EASTERN REGIONAL OFFICE
LAW-U-SIB
LUMANTNGEN
NEAR MTC WORKSHOP
SHILLONG
PIN.- 793021.

3: THE DIRECTOR

WILDLIFE INSTITUTE OF INDIA
POST BOX NO. 18
DEHRADUN- 248001
UTTARAKHAND.

4: THE STATE OF ASSAM
REP. BY ITS PRINCIPAL SECRETARY
ENVIRONMENT and FORESTS DEPTT.
GOVT. OF ASSAM
GUWAHATI-06.

5: THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEAD OF FOREST
FORCE
ASSAM

ARANYA BHAWAN

PANJABARI
GUWAHATI-37.

6:THE CHIEF CONSERVATOR OF FORESTS and NODAL OFFICER

O/O. THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEAD OF
FOREST FORCE
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI- 37.

7:THE ADDL. PRINCIPAL CHIEF CONSERVATOR OF FORESTS

LOWER ASSAM ZONE
KACHARIGHAT
GUWAHATI-781001.

8:THE DIVISIONAL FOREST OFFICER
KAMRUP WEST DIVISION

BAMUNIGAON
PIN.- 781141
KAMRUP
ASSAM.

Advocate for : MR. S DEKA
Advocate for : MR.H GUPTAR- 1-3 appearing for THE UNION OF INDIA and 7
ORS.

Linked Case : WP(C)/672/2016

RANJIT DAS
S/O SRI BAPURAM DAS R/OVILL- GARIGAON
P.O. DHARAMPUR GUWAHATI-781017
DIST. KAMRUP M
ASSAM.

VERSUS

THE UNION OF INDIA and 8 ORS
REP. BY THE SECRETARY MINISTRY OF ENVIRONMENT and FORESTS
PARYAVARAN BHAWAN
JOR BAGH ROAD
NEW DELHI-110003.

2:THE DEPUTY CONSERVATOR OF FOREST CENTRAL
GOVT.OF INDIA
MINISTRY OF ENVIRONMENT and FORESTS
NORTH EASTERN REGIONAL OFFICE
LAW-U-SIB
LUMANTNGEN NEAR MTC
WORKSHOP SHILLONG
PIN- 793021.

3:THE DIRECTOR

WILDLIFE INSTITUTE OF INDIA POST BOX NO. 18
DEHRADUN- 248001
UTTARAKHAND.

4:THE STATE OF ASSAM

REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
ENVIRONMENT AND FORESTS DEPARTMENT
DISPUR
GUWAHATI 781006.

5:THE PRNCIPAL CHIEF CONSERVATOR OF FORESTS and HEAD OF
FOREST FORCE
ASSAM
REHABARI
GUWAHATI - 781008.

6:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
WILDLIFE
ASSAM
BASISTHA
GUWAHATI - 781029.

7:THE CHIEF CONSERVATOR OF FORESTS and NODAL OFFICER

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS and HEAD
OF FOREST FORCE
ASSAM
REHABARI
GUWAHATI - 78 1008.

8:THE ADDL. PRINCIPAL CHIEF CONSERVATOR OF FORESTS

LOWER ASSAM ZONE
KACHARIGHAT
GUWAHTI - 781001.

9:THE DIVISIONAL FOREST OFFICER

KAMRUP WEST DIVISION
BAMUNIGAON
PIN - 781141
KAMRUP M
ASSAM.

For the Petitioner(s) : Ms. N. S. Thakuria, Advocate
: Mr. T. Chakraborty, Advocate

For the Respondent(s) : None appears.

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 08.11.2024

Heard Ms. N. S. Thakuria, the learned counsel appearing on behalf of the writ petitioner in WP(C) No.1157/2017 and WP(C) No.672/2017 and Mr. T. Chakraborty, the learned counsel appearing on behalf of the Petitioners in WP(C) No.48/2017 and WP(C) No.1172/2017. None has appeared on behalf of the Forest Department.

2. The instant batch of writ petitions have been filed by the various writ petitioners challenging the tender notice for sale of minor minerals.
3. The challenge made in the instant proceedings to the said tender notice was on the basis that the action was taken by the Respondents without taking the approval from the Central Government which was otherwise required.
4. Pursuant to the filing of the writ petitions, this Court had issued notice and had directed that the tender process should not be finalized

without taking the leave of the Court. The interim order thereupon has been extended from time to time.

5. It is further seen that in the meantime, the period i.e. 5 years for which the said tender notice was issued have already expired. Accordingly, the instant batch of writ petitions therefore as per the learned counsels for the Petitioners have become infructuous.

6. Accordingly, this Court therefore closes the instant batch of writ petitions as they have become infructuous.

7. Interim order passed earlier stands vacated and the Respondent Authorities are at liberty to call for fresh tenders for sale of minor minerals. However in doing so, shall duly follow the mandate of law.

JUDGE

Comparing Assistant