

GAHC010011002024



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

Case No. : Cont.Cas(C)/43/2024

SMT. REKHA BASUMATARY
W/O SHRI KAMAL BASUMATARY, R/O VILL- HOWRAGHAT TINIALI,
MOUZA LANGPHER, P.O.- KACHUPUKHURI, P.S.-HOWRAGHAT, DIST-
KARBI NAGLONG, ASSAM, PIN-782482

VERSUS

SUDIP BHATTACHARJEE
VALUATION OFFICER (INCOME TAX), OFFICE OF THE VALUATION CELL,
INCOME TAX DEPARTMENT, AAYAKAR BHAWAN, 7TH FLOOR, CHRISTIAN
BASTI, G.S. ROAD, GUWAHATI, DIST- KAMRUP (METROPOLITAN), ASSAM,
PIN-781005

Advocate for the Petitioner : MR. A J SARMA

Advocate for the Respondent :

**BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY**

22.01.2024

Heard Mr. G. Alam, learned counsel for the petitioner.

The petitioner has preferred the instant petition, styled as a contempt petition under Article 215 of the Constitution of India read with Sections 11 and

12 of the Contempt of Courts Act 1971 and the provisions of the Gauhati High Court Rules alleging non-compliance of the directions made in an order dated 16.10.2023 passed by this Court in a writ petition, WP(C) 5712/2023.

It is noticed that in the said writ petition, WP(C) 5712/2023, the petitioner was impleaded as party respondent no. 10. It is also relevant to quote the following observations made in the order dated 16.10.2023 (supra);

“If the land owners continue to feel aggrieved in the matter event thereafter, it would be open for them to approach this Court again, by filing appropriate writ petition.”

Thus, it is evident from the order dated 16.10.2023 that if the petitioner as the land owner continues to feel aggrieved in the matter, then liberty is reserved to the petitioner to approach this Court by filing appropriate writ petition. However, instead of preferring a writ petition in compliance of the direction made in the order dated 16.10.2023 (supra), the petitioner has preferred a petition, styled as a contempt petition.

In the above view of the matter, the instant contempt petition is not entertained and the same is, accordingly, dismissed. Liberty, however, stands reserved to the petitioner to file appropriate writ petition, if so advised.

JUDGE

Comparing Assistant