

GAHC010212122023



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

Case No. : WP(C)/5501/2023

LUITPAR BUILDERS AND DEVELOPERS PVT. LTD.
REP. BY NIRUPAMA SAIKIA, HONORARY DIRECTOR, AGED ABOUT 66 YRS,

REGD. OFFICE, HOUSE NO- 7, DEBADARU PATH, DISPUR, GUWAHATI-06,
DIST- KAMRUP (M), ASSAM

VERSUS

CHAIRMAN GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
AND 2 ORS.
BHANGAGARH, GUWAHATI-05

2:CHIEF EXECUTIVE OFFICER
GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
BHANGAGARH
GUIWAHATI-05

3:COMMISSIONER
GUWAHATI MUNICIPAL CORPORATION
GUWAHATI
ASSA

Advocate for the Petitioner : PETITIONER IN PERSON

Advocate for the Respondent : SC, G M D A

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

01.12.2023

Heard Ms. N. Saikia appearing in person on behalf of the petitioner.

The matter pertains to a building permission and according to the petitioner, due to some error in numbers pertaining to the particulars of the land, the building permission has been delayed. In the affidavit-in-opposition filed by the respondent no. 2 – GMDA which is represented by Shri P. Nayak, learned Standing Counsel, it is however stated that the delay / refusal to grant the permission is because of the fact that the area as per record of the GMDA falls within the eco-sensitive zone.

The matter can be resolved if the views of the Revenue Department is taken and accordingly, this Court is of the opinion that such views be taken.

The petitioner is accordingly directed to serve a copy of the writ petition to Ms. G. Hazarika, learned Standing Counsel, Revenue Department to enable her to obtain the instructions.

Let this matter be listed on 08.12.2023. The name of Ms. G. Hazarika, learned Standing Counsel, Revenue Department be reflected in the Cause List.

JUDGE

Comparing Assistant