

WP(C) 3791/2007

BEFORE

HON'BLE JUSTICE MR I. A. ANSARI

Heard Mr. A. M. Mazumdar, learned Senior counsel, appearing on behalf of the petitioner, assisted by Mr. S. Ali, Advocate.

Pursuant to a Notice Inviting Tender, dated 17.04.2007, the petitioner submitted his tender seeking settlement of Goroimari Baniarapara Hat for the period from 01.07.2007 to 30.06.2008. The General Standing Committee of Barpeta Jilla Parishad recommended, vide letter, dated 21.06.2007, the petitioner's case to the respondent No. 1, namely, Commissioner & Secretary, Government of Assam, Department of Panchayat and Rural Development, for approval of its recommendation as regards settlement of the said 'Hat'. The respondent No. 1 has, however, passed no order on the letter, dated 21.06.2007, aforementioned. A reminder, then, was, on 19.07.2007, sent by the respondent No. 4, namely, Barpeta Zilla Parishad, to the respondent No. 1. The respondent No. 1 is, however, alleged to have not taken any action on the recommendations made by the respondent No.

4.

Considering the matter in its entirety and in the interest of justice, it is hereby directed that the respondent No. 1 shall examine and consider, in accordance with law and in terms of the relevant policy of the Government, the recommendations, made by the respondent No. 4 in favour of the petitioner, by the letter, dated 21.06.2007 aforementioned. Upon such examination and consideration, as directed hereinbefore, the respondent No. 1 shall pass such order(s) as may be necessary in fact and in law and communicate the same to the respondent No. 4. The whole exercise, so directed, shall be completed within a period of two weeks from the date of receipt of a certified copy of this order by the respondent No. 1. The petitioner shall furnish to the respondent No. 1 a certified copy of this order along with copies of the writ petition and Annexure thereto. If the petitioner feels aggrieved by the order(s), which may be passed by the respondent No. 1, the petitioner shall be at liberty to take recourse to such provisions of law as may be permissible.