

WP(C) 1892/2007

BEFORE

THE HON'BLE MR. JUSTICE D. BISWAS, CHIEF JUSTICE (ACTING)

THE HON'BLE MR. JUSTICE B.P. KATAKEY

Katakey, J.

Heard Mr. J. Roy, the learned counsel for the petitioner as well as Mr. S. Samaria, the learned standing counsel appearing on behalf of the GMC.

By this application, the petitioner is praying for a direction to the respondent authorities not to demolish the houses bearing Holding Nos. 771 and 772 (555) in Ward No. 15 (A) (24 of Basistha Road of Gauhati Municipal Corporation) standing in the name of the petitioner's mother-in-law Phuleswari Devi contending that the GMC authority is contemplating to demolish the houses in the said holding without following due procedure of law and issuing notices as required under the GMC Act.

Mr. Samaria, on instructions, has submitted that the GMC authority, at present is not contemplating to demolish the aforesaid holdings standing in the name of the petitioner's mother-in-law and in the event any such demolition is required, the same will be done after issuing the appropriate notice as required under the provision of Gauhati Municipal Corporation Act.

In view of the aforesaid submission, we close the writ petition with the observation that the holdings in question shall not be demolished except in accordance with law, i.e. by issuing notices as required by the Gauhati Municipal Corporation Act.

The appeal, accordingly, stands disposed of.