

WP(C) 3452/2008
BEFORE
HON'BLE MR. JUSTICE B.K. SHARMA

Heard Mr. A.M. Majumdar, learned Sr. counsel assisted by Mr. P.K. Singh, learned counsel for the respondent and Ms. R. Chokraborty, learned Addl. Sr. G. A.

The prayer made in this writ petition is for a direction to the respondents to allow the petitioner to proceed with rock blasting works over his own pat a land in terms of the permission granted to him by Annexure- 7 order dated 23.05.08. The order was issued by the Deputy Commissioner, In-charge, Kamrup (M), G uwahati.

Ms. R. Chokraborty, learned Addl. Sr. G.A. has produced the copy of the enquiry report dated 23.06.08 furnished to the Deputy Commissioner, Kamrup (M) by the ADC, Kamrup (M). As per the report, there is disturbance to the locality in view of the blasting operation. The report has also mentioned about the aforesaid permission granted by the Deputy Commissioner, In-Charge, Kamrup (M).

Mr. Majumdar, learned Sr. counsel submits that unless the petitioner is apprised of the disturbance, if any, in the matter of rock blasting, the petitioner is not in a position to take appropriate safety measures. He further submits that the petitioner is prepared to do the rock blasting under direct supervision of the appropriate authority or any expert in the field.

The writ petition is disposed of providing that the respondents may apprise the petitioner about the enquiry report. They may also find out ways and means so that the petitioner can carry out the rock blasting without disturbing the neighbours in any manner in the locality.

With the above observations, the writ petition is disposed of.