

WP(C) 6377/2012

BEFORE

THE HON'BLE MR. JUSTICE B.K. SHARMA

By means of this writ petition, the petitioner has prayed for a direction to the respondents, more particularly, the respondents No. 3 and 4 not to give permission to the respondent No. 6 towards installation of crusher machine, which allegedly on the verge of installation at Village called Nolonga Pahartoli under Baguan Revenue Circle in the district of Goalpara. According to the petitioner, the villagers have authorized him to file this writ petition. The land, on which the crusher machine is proposed to be installed has been described in paragraph 3 of the writ petition, which is quoted below:

3. That the petitioner beg to state that the land of the petitioner's village is cultivable land and the most of the villagers have been living by cultivation on their small owned land and also residential areas nearly of their land. The private respondent No. 6 is a businessman, he has also owned land in the middle of the village neighboring with the land under Dag No. 809, 830, 834, 835 and Pattana No. 442, 544, 107. The land of the private respondent is surrounded by the land of Hasem Ali Miah in the North, Abdur Rahman in the South Sonaulah in the East and the PWD with both side residential area in the west. There is a primary school namely Nolonga Pahartoli L.P. School in the middle of the village nearby the land of the private respondent No. 6. In the first week of October, 2012 the petitioner as well as the people of the locality have come to know that the private respondent No. 6 has tried to set up a crusher machine on his own land and accordingly he approached before the Forest Department as well as Revenue authorities. Thereafter the officers/Lat Mandal of the village has surveyed the land and submitted a report in favour of the private respondent No. 6.

Agitating the aforesaid grievance, the petitioner along with other villagers has already approached the Deputy Commissioner, Goalpara, vide their representation dated 19.10.2012 (Annexure-3) followed by representation dated 20.10.2012 (Annexure-4) to A.S.O., Balijana Circle, Goalpara.

Upon hearing Mr. H. Das, learned counsel for the petitioner as well as Ms. R. Chakraborty, learned State Counsel, this writ petition is disposed of directing the said two authorities to look into the grievance of the petitioner on the basis of the aforesaid two representations and pass appropriate order as expeditiously as possible, preferably within 31.1.2013.

The writ petition is disposed of.