

WP(C) 1640/2013

BEFORE

HON'BLE MR JUSTICE A.K.GOSWAMI

Heard Mr. M.I.Hussain, learned counsel for the petitioners and Mr. N.Bora, learned CGC for the respondent No.1. Heard also Ms. B.Dutta, learned State counsel for the respondent No.2 and Mr. S.Khound, learned counsel for the respondent No.3

At the very outset, Mr. Hussain submits that the names of the respondent Nos. 4 and 5 be struck off. Such prayer is not opposed by the learned counsel for the respondents.

Accordingly, the names of the respondent Nos. 4 and 5 are struck off.

This matter pertains to inclusion of villages in which the petitioners are the residents, within the BTC area. According to the petitioners, their villages could not have been included in the BTC area, having regard to the population pattern and contiguity.

The parties are in agreement that this matter is squarely covered by a series of decisions including the order dated 08.01.13 passed in WP(C) No. 2483/2009, and other connected matters. It is submitted that this petition be disposed of in terms of the order passed therein.

Having heard the submissions of the learned counsel for the parties and following the order dated 08.01.13, this writ petition is disposed of by directing that the writ petitioners shall submit a fresh representation by highlighting their grievances, enclosing the documents on which they rely upon, to the Chief Secretary to the Govt of Assam along with a certified copy of this order within 3 weeks from today.

The Chief Secretary, Govt of Assam, on receipt of the representation along with the documents, shall consider and dispose of the representation within a period of four months from the date of receipt of the representation by passing a speaking order. The Chief Secretary, Govt of Assam, shall also be at liberty to authorize any other officer to hold an inquiry into the allegations of the petitioners before the speaking order is passed.

The writ petition stands disposed of.