

WP(C) 7967/2015

BEFORE

HON'BLE MR. JUSTICE SUMAN SHYAM

Heard Mr. P.K. Roychoudhury, learned Sr. counsel for the petitioner. Also heard Mr. S. Sarma, learned Govt. Advocate appearing on behalf of respondent No. 1 to 6.

The case of the petitioner is that there is a grazing reserve, namely, Padumpukhuri Grazing Reserve under Kapahbari Mouza in the district of Nagaon in the locality where the petitioners resides. Although no permanent construction is permissible under the grazing reserve yet, respondent No. 7, namely, Padumpukhuri Natun Bazar Development Committee is permitting illegal construction of bazaar bheties over the aforesaid grazing reserve, thereby selling and/ or allotting those constructed bazaar bheties in the name of 3rd parties without obtaining any permission from the competent authority.

Inviting the attention of this Court to the letter dated 11-11-2015 issued by the Block Development Officer, Binnakandi Development Block, Doboka, Nagaon, Mr. Roychoudhury submits that even the block development authorities have taken cognizance of such illegal activities carried out at the instance of respondent No. 7. However, despite several complaints made by the residents of the locality and notwithstanding the aforesaid letter dated 11-11-2015 neither the respondent No.

7 as stopped such illegal activity nor is the respondent No. 3 taking any action in the matter. Expressing their grievances in the matter the petitioner No. 1 Samiti had also submitted a representation dated 27-11-2015 before the respondent No. 3 requesting urgent action in the matter. However, despite receipt of the said representation, no action has been taken by the respondent No. 3 till date. Having heard the learned counsel for the parties, I am of the considered opinion that this writ petition can be disposed of at the motion stage itself by directing the respondent No. 3 to consider the grievances of the petitioners as expressed in the representation dated 27-11-2015 and pass a speaking order taking remedial measure in the matter as may be permissible under the law.

The petitioners are also granted liberty to present a copy of this writ petition before the respondent No. 3. If the approach as permitted by this Court is made by the petitioners within a period of 15 days from today, the same may be heard and disposed of within a further period of 30 days, thereafter, by passing a speaking order.

This writ petition stands disposed of accordingly.