

WP(C) 3939/2016

BEFORE

HON'BLE MR. JUSTICE MANOJIT BHUYAN

Heard Mr. J Roy, learned counsel for the petitioner as well as Mr. N. Upadhyay, learned counsel representing the respondent Nos. 1,2,3,4,5,6 & 7.

The bone of contention is in respect of a market called Dilli Duwania Market between the petitioner/Town Committee and the Joypur Anchalik Panchayat, Joypur.

The control and administration of the market in question between the two parties requires to be resolved by the Deputy Commissioner, Dibrugarh. Meantime, Joypur Anchalik Panchayat have issued the NIT dated 17.5.2016 for settlement of the market for the year, 2016-17.

Mr. Roy submits that the said NIT floated by the Joypur Anchalik Panchayat cannot be allowed to proceed further until such time when the matter stands resolved by the Deputy Commissioner, Dibrugarh. It is also stated that at the same time Namrup Town Committee have also issued the NIT dated 6.6.2016 in respect of the said market.

This issue with regard to control and administration of Dilli Duwania Market requires to be resolved at the earliest and in that view of the matter, a direction is made that neither the NIT dated 17.5.2016 of Joypur Anchalik Panchayat as well as the NIT dated 6.6.2016 floated by Namrup Town Committee be given effect to.

The existing arrangement shall continue until such time when the matter is resolved by the Deputy Commissioner, Dibrugarh. There is no necessity to detain the adjudication of the case any further, save and except, directing the Deputy Commissioner, Dibrugarh to look into the matter and pass appropriate order(s) with regard to who among the two i.e. Namrup Town Committee and Joypur Anchalik Panchayat are entitled to run and administer the market in question.

The entire exercise shall be completed by the Deputy Commissioner, Dibrugarh within a period of 4(four) weeks from today. Until a decision is made, status-quo as on today is to be maintained.

The writ petition stands accordingly disposed of. The petitioner shall furnish a certified copy of this order to the Deputy Commissioner, Dibrugarh for his doing the needful.