

PIL 78/2016

BEFORE

HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH

HON'BLE MR. JUSTICE MANOJIT BHUYAN

(Ajit Singh, CJ)

Mr. M.K. Choudhury, learned senior counsel assisted by Mr. S. Baruah, learned counsel for the petitioner.

Ms. B. Bhuyan, learned Standing Counsel, Bodoland Territorial Council and Mr. H Baruah, learned Standing Counsel, Pollution Control Board for the respondents.

Respondent No.3 purchased the land in question at village Kukurmari in an auction sale held as far back as on 26.2.2008 under Debts Recovery Tribunal, Assam. The sale certificate was then issued by the Recovery Officer of Debts Recovery Tribunal on 24.3.2008. Thereafter, vide order dated 3.1.2009 passed by the Circle Officer, Sidli Revenue Circle, mutation was also done in favour of respondent No.3. Not only this, after obtaining required statutory permissions from different departments, respondent No.3 has set up an industry on the said land. And in the present Public Interest Litigation the petitioner has challenged the very sale of land in favour of respondent No.3.

After hearing the learned counsel for the petitioner, we are convinced that this is not a genuine Public Interest Litigation. As mentioned above, the land was purchased by respondent No.3 in an auction sale in the year 2008.

The petition is accordingly dismissed summarily.