

(2021) 06 GAU CK 0083

In the Gauhati High Court

Case No : Writ Petition (Civil) No. 3037 Of 2021

Kanchan Mandal

APPELLANT

Vs

State Of Assam 14 Ors

RESPONDENT

Date of Decision : 15-06-2021

Acts Referred:

Citation : (2021) 06 GAU CK 0083

Hon'ble Judges : Suman Shyam, J

Bench : Single Bench

Advocate : A Mannaf

Judgement

The petitioner is the elected President of No. 49 Trilochan Gaon Panchayat in the district of Kamrup. Aggrieved by the resolution adopted in the

meeting dated 28/05/2021, whereby the Motion of No Confidence was passed against her, the present petition has been filed.

Mr. Manaf submits that the impugned resolution is vitiated by several procedural violations, calling for interference by this Court. On such count, the

petitioner's counsel has also prayed for an interim order suspending the operation of the resolution dated 28/05/2021.

The prayer made in the writ petition has, however, been strongly opposed by Mr. M. Nath, learned Standing Counsel, Panchayat and Rural

Development Department, Assam, appearing for the respondent nos. 1, 2 and 4, who submits that having participated in the meeting and signed the

resolution, the petitioner cannot now turn back and assail the same on the ground of procedural irregularities.

Mr. N. Goswami, learned Government Advocate, Assam, representing the respondent nos. 3 and 15, prays for some time to obtain instruction.

Issue notice of motion returnable on 14/07/2021.

Since the respondent nos. 1, 2, 3, 4 and 15 are already represented by their respective counsel, no formal notice is required to be sent to the said

respondents. However, extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel(s) within three days

from today, so as to enable them to obtain instruction and file affidavit.

Petitioner to take steps for service of notice upon the remaining respondents by registered post with A/D.

Steps within three days from today.

Mr. Goswami, learned Government Advocate, Assam to produce the records on the next date fixed.

Taking note of the urgency expressed in the matter by Mr. Manaf, learned counsel for the petitioner, it is made clear that an attempt would be made

to dispose of the writ petition at the stage of admission hearing.

List this case again on 14/07/2021.