

GAHC010007302026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/294/2026

MASUK AHMED BARBHUIYAN AND ANR
SON OF LT. RIOSOTH ALI BARBHUYA, RESIDENT OF VILL.-
BAHADURPUR-II, P.O.- RANGANTI, DIST.- HAILAKANDI.

2: ADIL SARWAR LASKAR
SON OF LT. AZIZUR RAHMAN LASKAR
RESIDENT OF VILL.-BAHADURPUR-II
P.O.- RANGANTI
P.S. AND DIST.-HAILAKANDI
PIN788155

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF
ASSAM, DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
DISPUR, GUWAHATI-781006.

2:THE DIRECTOR
LAND RECORDS AND SURVEYS
RAJAH BHAWAN
RUPNAGAR
GUWAHATI-781032
ASSAM.

3:THE JOINT DIRECTOR (SETTLEMENT)
RAJAH BHAWAN
RUPNAGAR
GUWAHATI- 781032
ASSAM.

4:THE DISTRICT COMMISSIONER
HAILAKANDI
ASSAM- 788151.

5:THE CIRCLE OFFICER
HAILAKANDI REVENUE CIRCLE
HAILAKANDI-788151
ASSAM.

6:THE SETTLEMENT OFFICER
HAILAKANDI
HAILAKANDI REVENUE CIRCLE
HAILAKANDI-788151
ASSAM.

7:THE PRESIDENT/ SECRETARY
MADRASSA AND MASJID COMMITTEE
RATANPUR-II
HAILAKANDI
PIN-788155

Advocate for the Petitioner : MR B KAUSHIK, P LHAMU,K BHARALI,MS A M DCOSTA,MR.
S HAZARIKA

Advocate for the Respondent : SC, REVENUE, GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

21.01.2026

Heard Mr. B. Kaushik, learned counsel for the petitioners. Also heard Mr. N. Goswami, learned Government Advocate for the State respondents Nos. 4, 5 and 6; and Ms. P.R. Mahanta, learned Standing Counsel, Revenue Department for the respondents Nos. 1, 2 and 3.

2. The point of discord between the petitioner and the private respondent No.7 is a plot of land which the petitioner claims the revenue authorities had wrongly demarcated the same and in the process of demarcation now attempting to handover that parcel of land to the respondent No.7.

3. The learned counsel for the petitioners submits that there was a field enquiry sought to be carried out on 12.11.2025 in the presence of both parties however, because of breach of peace and communal tension the same was not carried. However, the petitioners apprehend that the some report had already been submitted by the Circle Officer before the District Commissioner, Hailakandi pursuant to which the said disputed parcel of land may now be demarcated in favour of the private respondent No.7. He therefore, submits that there should be a fresh field enquiry and until the same is done the status quo be directed to be maintained between the parties.

4. Mr. N. Goswami, learned Government Advocate on the other hand has referred to page No.96 (Annexure 13) submits that the prayer in regard to the disputed parcel of land has been forwarded to the Circle Officer however, he does not have any instructions as to whether a detailed report has been submitted as on date. He therefore, seeks liberty to complete his instructions.

5. Accordingly, let this matter be listed on 13.02.2026, by which time the learned State Counsel will appraise the Court as to whether any field enquiry was conducted between the parties and the report if any, submitted thereto.

6. Meanwhile, till the next date of listing the status quo be maintained with regard to the said parcel of land by the parties concerned which however, will not restrain the respondent authorities to conduct field enquiry, if the same is contemplated by the respondents in the meantime.

7. The petitioners will ensure service of copies on the respondent No.7 by

way of dasti routed through the Registry of this Court.

8. List accordingly.

JUDGE

Comparing Assistant