

GAHC010007422026



undefined

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

Case No. : WP(C)/292/2026

MAN BAHADUR PRADHAN AND 194 ORS
S/O BHANU NARAYAN PRADHAN

2: KISHOR KUMAR CHETRY
S/O LOK NATH CHETRY

3: DIPEN KUMAR CHETRY
S/O TEJ BAHADUR CHETRY

4: DEB KUMAR CHETRY
S/O RANDHUJ CHETRY

5: TIKARAM CHETRY
S/O KHARKA BAHADUR CHETRY

6: NAYAN KUMAR SUBBA
S/O HANGSA BAHADUR SUBBA

7: LOKNATH CHETRY
S/O RANDHUJ CHETRY

8: MAN PRASAD RAI
S/O BHAGI PRASAD RAI

9: AN BAHADUR CHETRY
S/O TIL BAHADUR CHETRY

10: KUMAR PRADHAN
S/O NANDALAL PRADHAN

11: PRAKASH SUBBA
S/O DESH BAHADUR SUBBA

12: BIKASH RAI

S/O CHANDRA BAHADUR RAI

13: RAM BAHADUR CHETRY
S/O LAL BAHADUR CHETRY

14: NOR BAHADUR CHETRY
S/O TIL BAHADUR CHETRY

15: PURNA BAHADUR CHETRY
S/O TIKA RAM CHETRY

16: RAM BAHADUR CHETRY
S/O DAMBAR DH0J CHETRY

17: SANTOSH KR CHETRY
S/O DIL BAHADUR CHETRY

18: MOHAN SINGH RAI
S/O BHAGI PRASAD RAI

19: RAJEN RAI
S/O BHOG PRASAD RAI

20: DAMBAR BAHADUR CHETRY
S/O MAN BAHADUR CHETRY

21: CHANDRA BAHADUR CHETRY
S/O KABIRAJ CHETRY

22: RATNA BAHADUR RAI
S/O LALBIR RAI

23: PURNA SUBBA
S/O NAR BAHADUR SUBBA

24: BHAKTA BAHADUR BANIA
S/O MON BAHADUR BANIA

25: MONUJ BANIA
S/O RATNA BAHADUR BANIA

26: GANESH CHETRY
S/O LOKNATH CHETRY

27: SUKRA BAHADUR RAI
S/O BHAGI PRASAD RAI

28: SON BAHADUR BANIYA

S/O MON BAHADUR BANIYA

29: RAJENDRA BAHADUR CHETRY
S/O GANGA BAHADUR CHETRY

30: NARAYAN CHETRY
S/O BHIM BAHADUR CHETRY

31: GOBINDA CHETRY
S/O CHANDRA BAHADUR CHETRY

32: AMAR BAHADUR CHETRY
S/O TIL BAHADUR CHETRY

33: MAN BAHADUR CHETRY
S/O TIL BAHADUR CHETRY

34: BHIM BAHADUR CHETRY
S/O MAN BAHADUR CHETRY

35: NOR BAHADUR CHETRY
S/O MAN BAHADUR CHETRY

36: DHAN MAYA RAI
D/O BHAGI PRASAD RAI

37: LAL BAHADUR CHETRY
S/O TIL BAHADUR CHETRY

38: DHRUBA CHETRY
S/O TEZ BAHADUR CHETRY

39: RAJU CHETRY
S/O TEZ BAHADUR CHETRY

40: AMIT CHETRY
S/O AN BAHADUR CHETRY

41: JAGYA BAHADUR CHETRY
S/O AMAR BAHADUR CHETRY

42: KUMAR CHETRY
S/O BHIM BAHADUR CHETRY

43: GOPAL CHETRY
S/O NOR BAHADUR CHETRY

44: JHANAK BAHADUR CHETRY

S/O RAM BAHADUR CHETRY

45: AGARAJ CHETRY
S/O RAM BAHADUR CHETRY

46: KRISHNA SUBBA
S/O TAK BAHADUR SUBBA

47: SURAJ SUBBA
S/O TAK BAHADUR SUBBA

48: TAK BAHADUR SUBBA
S/O HANGSA BAHADUR SUBBA

49: PAWAN KUMAR SUBBA
S/O TAK BAHADUR SUBBA

50: RAJIV KUMAR SUBBA
S/O TAK BAHADUR CHETRY

51: KRISHNA SUBBA
S/O HANGSHA BAHADUR SUBBA

52: BIKKI SUBBA
S/O KRISHNA CHETRY

53: INDRA KUMAR SUBBA
S/O HANGSHA BAHADUR SUBBA

54: PITAMBAR SUBBA
S/O INDRA KUMAR SUBBA

55: KALPANA SUBBA
D/O TAK BAHADUR SUBBA

56: BHIM BAHADUR CHETRY
S/O KRISHNA CHETRY

57: LAL BAHADUR CHETRY
S/O KRISHNA CHETRY

58: KAMAL CHETRY
S/O DILLI RAM CHETRY

59: HASTA BAHADUR CHETRY
S/O KRISHNA CHETRY

60: KALI MAYA SUBBA

W/O JASH BAHADUR SUBBA

61: BHIM BAHADUR SUBBA
S/O JASH BAHADUR SUBBA

62: BISHNU MAYA SUBBA
W/O JAS BAHADUR SUBBA

63: TAL BAHADUR PRADHAN
S/O BHANU NARAYANPRADHAN

64: OJARAJ CHETRY
S/O RANDHUJ CHETRY

65: DHAN BAHADUR CHETRY
S/O OJARAJ CHETRY

66: KAMAL CHETRY
S/O OJARAJ CHETRY

67: KISHOR CHETRY
S/O OJARAJ CHETRY

69: SOMU RAI
S/O CHANDRA BAHADUR RAI

70: KUMAR RAI
S/O CHANDRA BAHADUR RAI

71: BHAKTA KUMAR RAI
S/O DURGA SING RAI

72: RAM BAHADUR RAI
S/O BRATA BAHADUR RAI

73: AMAR BAHADUR CHETRY
S/O MAHA SINGH CHETRY

74: TANKA BAHADUR SUBBA
S/O DAL BAHADUR SUBBA

75: DHAN PRASAD SHARMA
S/O KRISHNA PRASAD SHARMA

76: BIKAS CHETRY
S/O DIPEN CHETRY

77: MANIRAJ RAI

S/O CHANDRA BAHADUR RAI

78: KRISHNA PRADHAN
S/O NANDALAL PRADHAN

79: BHIM BAHADUR SUBBA
S/O NAR BAHADUR SUBBA

80: NIR KUMAR CHETRY
S/O LAL BAHADUR CHETRY

81: BHAKTA PRASAD SHARMA
S/O BHABANATH SHARMA

82: DHAK PRASAD SHARMA
S/O BHABANATH SHARMA

83: JHATAK PRASAD SHARMA
S/O BHABANATH SHARMA

84: BICHARI RAI
S/O MANIRAJ RAI

85: KUL BAHADUR PRADHAN
S/O BHANU NARAYANPRADHAN

86: GANESH PRADHAN
S/O MAN BAHADUR PRADHAN

87: RAM PRASAD SHARMA
S/O BHABANATH SHARMA

88: BISHNU SUBBA
S/O DESH BAHADUR SUBBA

89: SANTOSH RAI
S/O MANIRAJ RAI

90: MADAN BAHADUR CHETRY
S/O KUL BAHADUR CHETRY

91: TANKU BAHADUR CHETRY
S/O MADAN BAHADUR CHETRY

92: LILA RAJ CHETRY
S/O SARMAN CHETRY

93: KHARKA BAHADUR POUDEL

S/O JUDDHA BIR POUDEL

94: SHANKAR PRADHAN
S/O NANDALAL PRADHAN

95: BHAKTA BAHADUR KARKI
S/O GOM BD KARKI

96: GOPI KRISHNA SHARMA
S/O RATNA BD SHARMA

97: DAMBAR BAHADUR KARKI
S/O BHIM BAHADUR KARKI

98: TEZ BAHADUR CHETRY
S/O TILL BAHADUR CHETRY

99: GHANASHYAM CHETRY
S/O JUDDHA BIR CHETRY

100: DURGA PRASAD CHETRY
S/O TEZ BAHADUR CHETRY

101: DEVI BANIYA
W/O SER BAHADUR BANIYA

102: TIL BAHADUR SUBBA
S/O MOIT RAJ SUBBA

103: MOHAN SUBBA
S/O PREM BAHADUR SUBBA

104: MON BD SUBBA
S/O MOITA RAJ SUBBA

105: SANTA SUBBA
S/O MAILA LIMBU

106: BHIM BAHADUR CHETRY
S/O TIL BAHADUR CHETRY

107: TEJ BAHADUR THAPA
S/O DILLIRAM THAPA

108: ICHHA BAHADUR GAUTAM
S/O SER BD GAUTAM

109: PARASHURAM SHARMA

S/O RATRNA PRASAD SHARMA

110: KAMAL BAHADUR CHETRY
S/O PRATIMAN CHETRY

111: RATNA BAHADUR CHETRY
S/O PREM BAHADUR CHETRY

112: HEM KUMARI DEVI
D/O CHANDRA BAHADURCHETRY

113: MON MAYA DEVI
D/O RAM BAHADUR CHETRY

114: CHANDRA THAPA
S/O BHIM BAHADUR CHETRY

115: TUL BAHADUR CHETRY
S/O GANGA RAM CHETRY

116: MON BAHADUR CHETRY
S/O SER BAHADUR CHETRY

117: SUNITA DEVI
D/O HARKA BAHADUR CHETRY

118: TEZ BAHADUR CHETRY
S/O NOR BAHADUR CHETRY

119: CHABILAL CHETRY
S/O GANGA RAM CHETRY

120: PURNA PRASAD SHARMA
S/O BISHNU PRASAD SHARMA

121: BHASKAR CHETRY
S/O PUSPA LAL CHETRY

122: S/O PUSPA LAL CHETRY
S/O GOMAN SINGH THAPA

123: RITA DEVI
W/O ROHIT SHARMA

124: TULASHI DEVI
W/O MOHAN PRASAD SHARMA

125: PUJA SUBBA

W/O ARUN SUBBA

126: SAPANGI SUBBA
W/O TIL SINGH SUBBA

127: PREM BAHADUR SUBBA
S/O PRASAD SINGH SUBBA

128: MON BAHADUR CHETRY
S/O HASTA BAHADUR CHETRY

129: DAMABAR BAHADUR CHETRY
S/O RIM BD THAPA

130: JEET BAHADUR CHETRY
SON OF CHHATRA BAHADURCHETRY

131: HOM BAHADUR CHETRY
S/O PURNA BAHADUR CHETRY

132: NAINA BAHADUR GAUTAM
W/O KRISHNA BAHADUR GAUTAM

133: DAMBAR BAHADUR GAUTAM
S/O SER BAHADUR GAUTAM

134: DHAN BAHADUR CHETRY
S/O BHAKTA BAHADUR CHETRY

135: JIT BAHADUR CHETRY
S/O BHIM BAHADUR CHETRY

136: RAN BAHADUR CHETRY
S/O BHIM BAHADUR KARKI

137: DHAN BAHADUR CHETRY
S/O GHANASHYAM CHETRY

138: KHEMRAJ CHETRY
S/O CHHABILAL CHETRY

139: BIKRAM CHETRY
S/O RANDHOJ CHETRY

140: CHANDRA BAHADUR BASNET
S/O DHAN PRASAD BASNET

141: KRISHNA BAHADUR GAUTAM

S/O SER BAHADUR CHETRY

142: MON BAHADUR CHETRY
S/O KHARGA BAHADUR CHETRY

143: BHIM BAHADUR KARKI
S/O RATNA BAHADUR KARKI

144: DIPAK CHETRY
S/O TEZ BD CHETRY

145: RAJIP KHADKA
S/O TEZ BAHADUR CHETRY

146: RAM BAHADUR PRADHAN
S/O DHAN BAHADUR PRADHAN

147: RITA DEVI
W/O BIR BAHADUR CHETRY

148: HOM BAHADUR CHETRY
S/O GHANASHYAM CHETRY

149: MEGHRAJ CHETRY
S/O KHARGA BAHADUR CHETRY

150: JAGAT KADARIYA
S/O JANGA BAHADUR KADARIYA

151: JANGA BAHADUR KADARIYA
S/O DHAN BAHADUR KADARIYA

152: RAM BAHADUR GAUTAM
S/O BHIM BAHADUR GAUTAM

153: NEERU SHARMA
W/O GOPI KRISHNA SHARMA

154: DIL BAHADUR CHETRY
S/O KRISHNA BAHADURCHETRY

155: PREM BAHADUR BASNET
S/O DHAN PRASAD BASNET

156: KAMAL CHETRY
S/O MEGHRAJ BASNET

157: PUSPA KALA DEVI

S/O RATNA BAHADUR CHETRI

158: MANISHA DEVI
W/O KALI BAHADUR CHETRY

159: JEEBAN CHETRY
S/O MEGHRAJ BASNET

160: JEET BAHADUR CHETRY
S/O AN BD CHETRY

161: PADAM CHETRY
S/O DHAN BAHADUR CHETRY

162: PADAM BAHADUR CHETRY
S/O DHAN BAHADUR CHETRY

163: HARKA MAYA DEVI
S/O NAINA SINGH CHETRY

164: JANUKA DEVI
W/O JEET BAHADUR CHETRY

165: SANTA BAHADUR CHETRY
S/O NAINA SINGH CHETRY

166: SARASWATI DEVI
W/O KAMAL CHETRY

167: KRISHNA DEVI
W/O RAJ KUMAR GAUTAM

168: RITA DEVI
S/O DAMBAR THAPA

169: SUMITRA DEVI
W/O PADAM BAHADUR CHETRY

170: PARBATI DEVI
W/O HOM BAHADUR KADARIYA

171: JYOTI PRADHAN
S/O GOPAL PRADHAN

172: GOKUL PRADHAN
S/O DAL BAHADUR PRADHAN

173: TEZ BAHADUR CHETRY

S/O GHNASHYAM CHETRY

174: DIPAK PRADHAN
S/O DAL BAHADUR PRADHAN

175: AJAY CHETRY
S/O BHIM BAHADUR KADARIYA

176: TUKA MAYA CHETRY
S/O MON BAHADUR GOUTAM

177: KUNTI DEVI
W/O NARAYAN CHETRY

178: KUMARI DEVI
W/O KRISHNA CHETRY

179: NANDALAL CHETRY
W/O MON BAHADUR CHETRY

180: PUSPA DEVI
W/O KARNA CHETRY

181: HIM BAHADUR KADARIYA
S/O UJIR BAHADUR KADARIYA

182: GANESH CHETRY
S/O PREM CHETRY

183: KRISHNA BOHARA
W/O KHARKA BAHADUR BOHARA

184: PREM PRASAD DAHAL
S/O KRISHNA PRASAD DAHAL

185: DIPAK CHETRY
S/O NAINA SINGH CHETRY

186: JIBAN KUMAR CHETRY
S/O ADURAM CHETRY

187: KHARKA BAHADUR CHETRY
S/O CHHATRA BD CHETRY

188: TEK BD CHETRY
S/O MAN BD CHETRY

189: PURNA CHETRY

S/O TIKA RAM CHETRY

190: PURNA MAYA DEVI
W/O SARMAN CHETRY

191: LALIT CHETRY
S/O DURGA PRASAD CHETRY

192: KALPANA DEVI
W/O LT RATNA BAHADUR CHETRY

193: DILA DEVI
W/O GOKUL SINGH

194: PURNA BAHADUR CHETRY
S/O SHAL BAHADUR CHETRY

195: BHASKAR CHETRY
S/O PUSPA LAL CHETRY
PETITIONERS NO 1 T 90
ALL ARE R/O.- VILLAGE- BAGISADUBI
P.O AND P.S.- KHERONI
DISTRICT- WEST KARBIANGLONG
ASSAM AND PETITIONERS NO. 91 TO 195
ALL ARE R/O.- VILLAGE RAJADUBI
P.O AND P.S KHERONI
DISTRICT- WEST KARBIANGLONG
ASSAM

196: HIM BAHADUR KADARIYA
S/O UJIR BAHADUR KADARIY

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY, GOVERNMENT OF ASSAM, LAND
REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, ASSAM,
PIN-781006

2:THE KARBI ANGLONG AUTONOMOUS COUNCIL
THROUGH THE PRINCIPAL SECRETARY
DIPHU
ASSAM
PIN-782460

3:THE SECRETARY

HILL AREA DEVELOPMENT DEPARTMENT

GOVERNMENT OF ASSAM
DISPUR
ASSAM
PIN-782460.

4:THE SECRETARY

LAND AND REVENUE DEPARTMENT
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
ASSAM
PIN-782460

5:THE DISTRICT COMMISSIONER

WEST KARBI ANGLONG
HAMREN
PIN 782486

6:THE ASSISTANT REVENUE OFFICER

DONKA
REVENUE CIRCLE
DONKA MOKAM
WEST KARBI ANGLONG
ASSAM
PIN- 78248

Advocate for the Petitioner : MR N N UPADHYAYA, MR R DHAR,MR. B B KAKATI,MR. S UPADHAYA

Advocate for the Respondent : GA, ASSAM, SC, K A A C,SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

21.01.2026

Heard Mr. R. Dhar, learned counsel for the petitioners. Also heard Mr. J. Chutia, learned Standing Counsel, KAAC; and Ms. P.R. Mahanta, learned Standing Counsel, Revenue Department.

2. The petitioners 195 in numbers claim to be residents of Bagsidubi and Rajadubi villages under the Donka Revenue Circle in the District of West Karbi Anglong, Assam. The learned counsel for the petitioners submits that all these petitioners belong to Gorkha Community and are cattle grazers, daily wage labourers and cultivators. It is the claim of the petitioners that since 1943 their forefathers have been residing in these areas as cultivators and cattle grazers and the petitioners being their descendants have continued to do so, while the petitioners have been paying the forest department the necessary charges for grazing permit, and also for the revenue on the lands which they claim to be under their occupation, the petitioners were surprised to be informed from the revenue authorities that they are likely to be evicted in view of notice which was issued as far back as July, 2024. Copy of the said notice is enclosed as Annexure B on the writ petition.

3. The learned counsel for the petitioners submits that the petitioners were not aware of this notice and it is only after the recent ethnic violences which have erupted in the West Karbi Anlong District they came to aware of existence of the said notice. The learned counsel for the petitioners submits that no specific or individual notices have been issued and the petitioners have been verbally informed that they will be evicted from these lands in terms of the eviction notice dated 11.07.2024. Being aggrieved the petitioners are before this Court.

4. Mr. J. Chutia, learned Standing Council, KAAC strongly objects to the submissions made by the learned counsel for the petitioners. It is submitted

that these petitioners have claimed to be occupants of the said lands for the last several decades but there is no specific description of the land under their occupation which has been mentioned in the writ petition. Although references have been made in respect of payment of land revenues and forest use, the specific particulars pertaining to the land stated to be under their occupation is not specified in the writ petition and therefore, they cannot have any right over government land or PGR/VGR land in view of the judgment of the Apex Court in *Jagpal Singh Vs The State of Punjab & Others* reported in (2011) 11 SCC 396.

5. The learned Standing Council, KAAC however, submits that if the petitioners have any particulars of the land under their possession then they should furnish the same before the respondent No.6.

6. In view of the submissions made and upon perusal of the pleadings available on the writ petition, this Court is of the view that ends of justice will be met, if this writ petition is disposed of at this stage without issuing any notice directing the petitioners to submit the particulars of the land stated to be under their occupations along with all relevant documents to substantiate their claims before the respondent No.6. The petitioners must ensure that the land particulars permitted to be submitted before the respondent No.6 must be on individual basis. If the petitioners are able to submit such particulars before the authorities as permitted by this Court within a period of 15 days from today then the respondent authority will thereafter, examine the claims and pass appropriate orders within a period of four weeks thereafter.

7. Till such orders are passed by the respondent authority, the authority will not proceed to evict the petitioners who had submitted their particulars along with the representation as permitted by this Court. If in the event in spite of the liberty being granted by this Court, the petitioners or any of them do not furnish their particulars before the respondent No.6, then the respondent authority will be at liberty to take action as per the procedure of law. Accordingly, the matter disposed of in terms of the above.

8. Copy of this order be marked to the Office of the Standing Counsel, KAAC for onward communication.

JUDGE

Comparing Assistant