

GAHC010010652026



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

Case No. : WP(C)/312/2026

MUSTAFA AHMED
S/O RAIS UDDIN, RESIDENT OF VTC- KHAPARI JARANI, P.O-
CHAPARMUKH, PIN- 782425, SUB-DISTRICT- RAHA, DISTRICT- NAGAON,
ASSAM

2: DINA ISLAM ALIAS DIN ISLAM
S/O HUSSAIN ALI
RESIDENT OF VILLAGE-KHAPARI JARANI
SALMARA
SALMORA
RAHA
DISTRICT- NAGAON
ASSAM-782425.

3: HILIM UDDIN
S/O MAFIJ UDDIN
RESIDENT OF- 090 KHAPARI JARANI
SALMARA
CHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM-782425.

4: MAJIBUR RAHMAN
S/O AHER UDDIN RESIDENT OF- VILLAGE KHAPARI JARANI
RAHA
DISTRICT- NAGAON
ASSAM-782425.

5: RASIDUL ISLAM
S/O KAMAL UDDIN RESIDENT OF- KHAPARI JARANI
CHAPARMUKH
RAHA
DISTRICT- NAGAON

ASSAM-782425

6: MUKARUL HOQUE
S/O KAMAL UDDINRESIDENTOF-VILLAGEKHAPARI
JARANICHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM-782425.

7: HUSSAIN AHMED
S/O LATE KAMAL UDDIN RESIDENT OF- KHAPARI JARANI
SALMARA
RAHA
DISTRICT- NAGAON
ASSAM-782425.

8: ABDUL MAJID
S/O KAMAL UDDINRESIDENT OF- KHAPARI JARANI
CHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM-782425.

9: JALAL UDDIN
S/O MAFIJ UDDINRESIDENT OF- KHAPARI JARANI
DISTRICT- NAGAON
ASSAM-782425.

10: ALAL UDDIN
S/O MAFIZ UDDINRESIDENT OF- KHAPARI JARANI DISTRICT- NAGAON
ASSAM-782425.

11: ASADUL ISLAM
S/O KAMAL UDDINRESIDENT OF- KHAPARI JARANI
CHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM-782425.

12: ABDUL RAHMAN
S/O RAIS UDDINRESIDENT OF- KHAPARI JARANI
SALMARA
CHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM-782425

13: RABIYA KHATUN

C/O ABDUL MALEK RESIDENT OF- KHAPARI JARANI
SALMARA
P.O.- CHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM- 782425

14: ABDUL KARIM
S/O AHAMMAD ALI RESIDENT OF- DIGHALIDIBA
SALMARASUB-DISTRICT-RAHA
DISTRICT- NAGAON
ASSAM-782425.

15: HUSSAIN ALI
S/O HANIF ULLAH RESIDENT OF- KHAPARI JARANI
SALMARA
P.O.-CHAPARMUKH
DISTRICT- NAGAON
ASSAM-782425

16: JAHIRUL ISLAM
S/O HUSSAIN ALI RESIDENT OF- KHAPARI JARANI
P.O.- CHAPARMUKH
SALMARA
DISTRICT- NAGAON
ASSAM-782425.

17: SAFIQL ISLAM
S/O HUSSAIN ALI RESIDENT OF- KHAPARI JARANI
P.O.- SALMARA
SUB-DISTRICT- RAHA
DISTRICT- NAGAON
ASSAM-782425.

18: MAHIDUL ISLAM ALIAS MAHIJUL ISLAM
S/O HUSEN ALI RESIDENT OF- KHAPARI JARANI
P.O.-SALMARA
SUB-DISTRICT-RAHA
DISTRICT- NAGAON
ASSAM-782425

19: MAHIBUR RAHMAN
S/O OWHER UDDIN RESIDENT OF- KHAPARI JARANI P.O.- CHAPARMUKH
SUB-DISTRICT-RAHA
DISTRICT- NAGAON
ASSAM-782425.

20: MUKLISUR RAHMAN

S/O AHER UDDIN RESIDENT OF- KHAPARI JARANI
P.O.- CHAPARMUKH
SUB-DISTRICT- RAHA
DISTRICT- NAGAON
ASSAM-782425.

21: MAHAMMAD ALI
S/O ABDUL KADIR RESIDENT OF- KHAPARI JARANI P.O.- CHAPARMUKH
SUB-DISTRICT- RAHA
DISTRICT- NAGAON
ASSAM- 782425

22: ABDUL MATALIB
S/O ABDUL KADIR RESIDENT OF- KHAPARI JARANI
P.O.- CHAPARMUKH
SUB-DISTRICT- RAHA
DISTRICT- NAGAON
ASSAM-782425

23: SULEMAN UDDIN ALIAS CHOLE MAN UDDIN
S/O MAFIJ UDDIN RESIDENT OF- KHAPARI JARANI
CHAPARMUKH
SUB-DISTRICT- RAHA
DISTRICT- NAGAON
ASSAM-782425

24: AMAN ULLHA ALIAS AMAN ULLAH
S/O HABIJ UDDIN RESIDENT OF- KHAPARI JARANI
CHAPARMUKH
RAHA
DISTRICT- NAGAON
ASSAM-782425.

25: JALAL UDDIN
S/O JAMAL UDDIN RESIDENT OF VTC- KARSUABORIP.O.- JHARGAON
SUB DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782411

26: RAMJAN ALI
S/O ICHAB ALI RESIDENT OF VTC- KHAPARI JARANI P.O.-
CHAPARMUKH SUB DISTRICT- ROHA
DISTRICT- NAGAON
ASSAM-782425.

27: JAHERA KHATUN
S/O ABDUL KADIR RESIDENT OF VTC- KHAPORI JARONI P.O.-
SALMORA SUB DISTRICT- ROHA
DISTRICT- NAGAON

ASSAM-782425

28: SAIDUL ISLAM
S/O HUSEN ALI RESIDENT OF VILL- KHAPORI JARONI P.O.- SALMARA
SUB DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425

29: ABDUL JALIL
S/O ISAB ALI RESIDENT OF VTC- KHAPORI JARONI P.O.-
CHAPARMUKH SUB DISTRICT- ROHA
DISTRICT- NAGAON
ASSAM-782425

30: ASHADUL HOQUE
S/O AKBAR ALI RESIDENT OF VTC- SALMARA P.O.- SALMORA SUB
DISTRICT- ROHA
DISTRICT- NAGAON
ASSAM-782425.

31: ABUL KALAM
S/O HAMED ALI RESIDENT OF VTC- KHAPORI JARONI P.O.- SALMARA SUB
DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425

32: ISHADUL ISLAM
S/O AKBAR ALI RESIDENT OF VTC- CHEOGURI P.O.- CHAPARAMUKH SUB
DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425.

33: ABDUL SALAM
S/O HAMED ALI RESIDENT OF VTC- SALMARA P.O.- SALMORA SUB
DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425.

34: JILAL UDDIN
S/O ABDUL HAIR RESIDENT OF VTC- SALMARA P.O.- SALMORA SUB
DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425

35: ABDUL HAI
S/O ABDUL KADIR RESIDENT OF VTC- SALMARA P.O.- SALMORA SUB
DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425

36: MAFIDUL ISLAM
S/O HAFIZ UDDIN RESIDENT OF VTC- KHAPORI JARONI P.O.-
CHAPARMUKH SUB DISTRICT- ROHA
DISTRICT- NAGAON ASSAM-782425

37: HAFIJ UDDIN
S/O SUBED ALIRESIDENT OF VTC- KHAPARI JARANI P.O.- SALMARASUB
DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425

38: BAHARUL ISLAM
S/O HUSSAIN ALIRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425

39: SAHIDUL ISLAM
S/O ALI AKBARRESIDENT OF VTC- DHING GAON P.O.- DHINGGAONSUB
DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425

40: MAZZUL HUSSAIN
S/O ABDUL HUSSAINRESIDENT OF VTC- KHAPARNI JARONI P.O.-
SALMARASUB DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425.

41: NUR RAHMAN
S/O ABDUL GAFUR MUNCHI RESIDENT OF VTC- KHAPARI JARANI P.O.-
CHAPARMUKHSUB DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425

42: SAHJAHAN ALI
S/O MAIN UDDINRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425.

43: MAIN UDDIN
S/O ABUL HUSSAINRESIDENT OF VTC- KHAPORI JARANI P.O.-
SALMARASUB DISTRICT- ROHA
DISTRICT- NAGAONASSAM-782425

44: REJAK ALI

S/O ABDUL GAFUR MUNCHI RESIDENT OF VTC- SALMARA P.O.-
SALMORASUB DISTRICT- RAHA
DISTRICT- NAGAON

45: ABDUL RAFIK ALIAS ABDUL RAFIQUE
S/O ABDUL AWALRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- RAHA
DISTRICT- NAGAONASSAM-782425.

46: HAMIDUL ISLAM

S/O ABDUL AWALRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- RAHA
DISTRICT- NAGAONASSAM-782425.

47: CHAIM UDDIN
S/O RAHMAT ALIRESIDENT OF VTC- KHAPARI JARANI P.O.-SALMARASUB
DISTRICT- RAHA
DISTRICT- NAGAONASSAM-782425.

48: HAJARAT ALI
S/O SULTAN NABIRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- RAHA
DISTRICT- NAGAONASSAM-782425

49: SAIFUL ISLAM
S/O ABDUL AWALRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- RAHA
DISTRICT- NAGAONASSAM-782425

50: JAKIR HUSSAIN
S/O SAIFUL ISLAMRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICTRAHA
DISTRICT- NAGAONASSAM-782425.

51: ASHADUL HOQUE
S/O ABDUL RASHIDRESIDENT OF VTC- KHAPARI JARANI P.O.-
SALMARASUB DISTRICT- RAHA
DISTRICT- NAGAONASSAM-782425

52: HUSSAIN ALI
S/O ALAL UDDINRESIDENT OF VILL/TOWN- KHAPARI JARANI
P.S. KAMPURSUB DIV NAGAON
DIST NOWGAON ASSAM

53: ABDUL SALAM
S/O KUB BECH ALIKHAPARI JARANI
CHAPARMUKH
RAHANAGAON
DIST NAGAON ASSAM
PIN 782425

54: ABUL BASHAR
S/O ABDUL GAFUR
RESIDENT OF VTC KHAPARI JARANI CHAPARMUKH
SUB DIST RAHA
DIST NAGAON
ASSAMPIN 782425

55: HURMUJ ALI
S/O ABDUL RAHIM RESIDENT OF VTC DAKHIN KHATOWAL
P.O. TARABARI
SUB DIST RUPANI
DISTRICT NAGAON
ASSAMPIN 782125

56: INTAJ ALI
S/O ABDUL AUWAL RESIDENT OF KHAPARI JARANI
SALMARA
CHAPARMUKH
RAHA
DIST NAGAON
ASSAM PIN 782425

57: ADBUL KALAM
S/O KUBBES ALI RESIDENT OF KHAPARI JARANI
SALMARAKHAPARI JARANI
CHAPARMUKH
RAHADIST NAGAON
ASSAM PIN 782425

58: HARUN RASHID
S/O ABDUL JABBAR RESIDENT OF KHAPARI JARANI
SALMARA
CHAPARMUKH
RAHA
DIST NAGAON
ASSAM PIN 782425

59: SAMSER ALI
S/O ABDUL JABBAR RESIDENT OF KHAPARI JARANI
SALMARA
RAHA
DIST NAGAON
ASSAM PIN 78425

60: MUNTAJ ALI
S/O SULTAN NABI RESIDENT OF KHAPARI JARANI
SALMARA
RAHA
DIST NAGAON
ASSAM PIN 782425

61: JIYADUL ISLAM
S/O MAHIDUL ISLAM RESIDENT OF KHAPARI JARANI CHAPARMUKH
RAHA
DIST NAGAON

ASSAM PIN 782425

62: ABDUL RASHID
S/O MANAR ALI RESIDENT OF KHAPARI JARANI
SALMARACHAPARMUKH
RAHA
DIST NAGAON
ASSAM PIN 782425

63: SHIKADAR ALI
S/O HUSSAIN ALI RESIDENT OF VILL KHAPARI JARANI
VTC SALMORA
RAHA
DIST NAGAON
ASSAM PIN 782425

64: JAHAR UDDIN
S/O HASEN ALI RESIDENT OF KHAPRI JARANI SALMARA
VTC KHAPARI JARANI P.O. CHAPARMUKH
RAHA DIST NAGAON
ASSAM PIN 782425

65: HABIJ UDDIN
S/O ABDUL AWAL RESIDENT OF KHAPARI JARANI
SALMARARAH
DIST NAGAON ASSAM
PIN 782425

66: MAJIBUR RAHMAN
S/O RAJMAMUD MUNCHI RESIDENT OF KHAPARI JARANI
SALMARAVTC KHAPARI JARANI
P.O. CHAPARMUKH
DIST NAGAON
ASSAM PIN 782425

67: NUR MAHAMMAD
S/O ABDUL MAJID RESIDENT OF VILL KHAPARI JARANI P.S. KAMPUR
NAGAON ASSAM

68: JULHAS ALI
S/O ABDUL JABBAR RESIDENT OF KHAPARI JARANI SALMARA
RAHA DIST NAGAON
ASSAM PIN 782425

69: ALAL UDDIN

S/O JAMAL UDDIN RESIDENT OF VTC- KHAPARI JARANI P.O.-
CHAPARMUKH SUB DISTRICT- RAHA

DISTRICTNAGAON ASSAM-782425

70: SAMSUL HOQUE
S/O ABDUL MALEK RESIDENT OF VTC- KHAPARI JARANI P.O.- SALMARA
SUB DISTRICT- RAHA
DISTRICTNAGAON ASSAM-78242

VERSUS

THE STATE OF ASSAM AND OTHERS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVERNMENT
OF ASSAM, DISPUR, GUWAHATI-781006.

2: THE SECRETARY
GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPT
JANATA BHAWAN
DISPUR
GUWAHATI- 781006

3: THE DEPUTY COMMISSIONER
ASSAM TRUNK ROAD
NAGAON
ASSAM

4: THE CIRCLE OFFICER
RAHA REVENUE CIRCLE
NAGAON ASSAM
PIN-78310

Advocate for the Petitioner : MR. M H ALI, MR. J N SUWAI, MR. A R DAS, FARHIN
FARID, MR. S M MUNIR, MR. Z KHALID

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

28.01.2026

Heard Mr. K.N. Choudhury, learned senior counsel assisted by Mr. Z Khalid, learned counsel for the petitioners. Also heard Ms. M Barman, learned Government Advocate and Mr. R Borpujari, learned Standing Counsel, Revenue for the

respondents.

The petitioners 70 in numbers are occupants or residents of the addresses mentioned in the district of Nagaon. The petitioners are aggrieved by the notices for eviction issued by the Circle Officer on 12.01.2026. By the said notices, they were called upon to submit necessary documents on 17.01.2026 and 19.01.2026 and were informed that a hearing will be held in the office of the said Circle Officer. In response to the said notice, some of the petitioners submitted their documents. However, no final orders have been passed, and the writ petitioners apprehend that since no orders are passed, the authorities may proceed to take steps to evict the petitioners from the concerned land.

Mr. K. N. Chaudhary, learned senior counsel has referred to the Judgment and order dated 29.08.2024 passed in W.P(C) No. 1349/2016 rendered by the Coordinate Bench to submit that the authorities are duty bound to follow the law laid down in a judgment rendered by Division Bench of Md. Salak Uddin Vs. State of Assam & Ors,[W.P(C) No. 1057/2022]. It is submitted that without a proper hearing, the authorities cannot evict the petitioners as sought to be done and therefore, appropriate orders be issued by the Court restraining the respondents to stay the process of eviction.

Mr. R Borpujari, learned Standing Counsel, Revenue and Ms. M Barman, learned Government Advocate submit that the process of hearings are underway. As per the instructions received, some of the petitioners have submitted the necessary documents. However, not all the petitioners have been able to furnish any valid land documents, allotment letters, jama bandi, etc. The matter is currently under examination by the Circle Officer, Raha, and upon conclusion of the hearing, the authorities will proceed to take necessary steps for eviction, if required, as per the procedure prescribed under law.

Mr. Borpujari, submits that he be permitted some time to complete his

instructions in the matter and place all necessary documents, including any orders that may have been passed by the Circle Officer, in respect of the claims made by the petitioners.

Under such circumstances, since this matter will require some hearing, let notice be issued, returnable on 20th February, 2026.

Since all the respondents are represented by their respective counsel, notices are waived, However, extra copies will be furnished within a period of three working days from today.

Since the respondents have already submitted that the process of hearing by the Circle Officer pursuant to the notices issued is underway and no specific orders have been passed, we permit the respondents to proceed with the hearing. However, no final orders be passed without leave of the court till the next date fixed.

List again on 20.02.2026

JUDGE

Comparing Assistant