

GAHC010012242025



undefined

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

Case No. : WP(C)/337/2025

MAHABAL CEMENT PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 2013, HAVING
ITS REGISTERED OFFICE AT 7 COUNCIL STREET 2ND FLOOR, KOLKATA,
WEST BENGAL - 700001, REPRESENTED THROUGH ITS AUTHORISED
SIGNATORY, SRI. MUKESH 50 GURJAR, AGED ABOUT 40, SON OF SRI.
RAMJI LAL GURJAR,
RESIDENT OF MAKSUDAN PURA, DIST. SAWAI, MADHOUPUR,
RAJASTHAN, PIN-322033

VERSUS

THE STATE OF ASSAM AND 10 ORS
REP BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM,
HOME AND POLITICAL DEPT., ASSAM SECRETARIAT, I-BLOCK, 2ND
FLOOR, DISPUR, GUWAHATI-781006

2:DIRECTORATE GENERAL OF POLICE

ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:DIMA HASAO AUTONOMOUS COUNCIL

REPRESENTED BY ITS PRINCIPAL SECRETARY (N)
HAFLONG
DIMA HASAO
DISTRICT
ASSAM-788819.

4:THE SECRETARY REVENUE

I/C SETTLEMENT AND REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM- 788819

5:THE ADDITIONAL SECRETARY

REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

6:THE REVENUE OFFICER

DIMAHASAO AUTONOMOUS COUNCIL

HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

7:SUPERINTENDENT OF POLICE

HAFLONG
DIMA HASAO DISTRICT
ASSAM
-788819

8:THE OFFICER-IN-CHARGE

UMRANGSO POLICE STATION

DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931

9:SRI SONESH HOJAI
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

10:SRI SAMARJIT NUNIA

THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

11: SRI SABJAYNON JIDUNG
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931

Advocate for the Petitioner : G. GOSWAMI, MS P SAIKIA, MS M KAKOTY, R SARMAH

Advocate for the Respondent : GA, ASSAM, MR. A RONGPHAR (R9, R10, R11), MR. A I
KATHAR (R9, R10, R11), SC, DIMA HASAO

Linked Case : I.A.(Civil)/506/2025

SONESH HOJAI AND 2 ORS
S/O JAYPURNA HOJAI
R/O LONGKUKRO
P.O. AND P.S. UMRONGSO
DISTRICT DIMA HASAO
ASSAM
PIN 788931

2: SRI SAMARJIT NUNIA
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

3: SRI SABJAYNON JIDUNG
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG

DIMA HASAO DISTRICT
ASSAM-788931.
VERSUS

MAHABAL CEMENT PRIVATE LIMITED AND ORS
A COMPANY INCORPORATED UNDER THE COMPANIES ACT
2013
HAVING ITS REGISTERED OFFICE AT 7 COUNCIL STREET 2ND FLOOR
KOLKATA
WEST BENGAL - 700001
REPRESENTED THROUGH ITS AUTHORISED SIGNATORY
SRI. MUKESH SO GURJAR
AGED ABOUT 40
SON OF SRI. RAMJI LAL GURJAR
RESIDENT OF MAKSUDAN PURA
DIST. SAWAI
MADHOPUR
RAJASTHAN
PIN-322033

2:THE STATE OF ASSAM
REP BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPT.
ASSAM SECRETARIAT
I-BLOCK
2ND FLOOR
DISPUR
GUWAHATI-7810066

3:DIRECTORATE GENERAL OF POLICE

ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

4:DIMA HASAO AUTONOMOUS COUNCIL

REPRESENTED BY ITS PRINCIPAL SECRETARY (N)
HAFLONG
DIMA HASAO
DISTRICT
ASSAM-788819.

5:THE SECRETARY REVENUE

I/C SETTLEMENT AND REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL

HAFLONG
DIMA HASAO DISTRICT
ASSAM- 788819

6:THE ADDITIONAL SECRETARY

REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

7:THE REVENUE OFFICER

DIMAHASAO AUTONOMOUS COUNCIL

HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

8:SUPERINTENDENT OF POLICE

HAFLONG
DIMA HASAO DISTRICT
ASSAM
-788819

9:THE OFFICER-IN-CHARGE

UMRANGSO POLICE STATION

DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931

Advocate for : Accaito Sarania

Advocate for : GA

ASSAM appearing for MAHABAL CEMENT PRIVATE LIMITED AND ORS

Linked Case : WP(C)/467/2025

SONESH HOJAI AND 21 ORS
S/O JAYPURNA HOJAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO

DIST.DIMA HASAO
ASSAM
PIN-788819

2: DISORON NONISA
S/O LT. NOHAM NONISA
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

3: JUGARAM JIDUNG
S/O LT. GONESHORON JIDUNG
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

4: JITENDRA LONGMALAI
S/O LONGKISWAR LONGMAILAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

5: RODESH LONGMALAI
S/O LONGKISWAR LONGMAILAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

6: PRABIT DIBRA
S/O JATIN DIBRA
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

7: RAJEN ENGLENG
S/O ORIWEL ENGLENG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO

DIST.DIMA HASAO
ASSAM
PIN-788819

8: SIMON TERANG
S/O LT.SANGREK TERON
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

9: ELISH TIMUNG
S/O SARTHE TIMUNG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

10: AGUSTINE RONGHANG
S/O LT.RAM RONGHANG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

11: JOSEP MILICK
S/O ABUL MILICK
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

12: DARWELL RONGHI
S/O RAMSUNG RONGHI
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

13: TIMAJOS TERANG
S/O BIREN TERANG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO

DIST.DIMA HASAO
ASSAM
PIN-788819

14: SARBONG TERON
S/OLT. MENSU TERON
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

15: BIREN TERANG
S/O LT. THARE TERANG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

16: LODESH JIDUNG
S/O SARGESH JIDUNG
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

17: MONJIT DAULAGUPA
S/O MOHON DAULAGUPA
R/O JEMBRU
P.O. AND P.S.HAFLONG

DIST.DIMA HASAO
ASSAM
PIN-788819

18: APHONJIT LANGTHASA
S/O MAIJARAM LANGTHASA
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

19: RANGKOL HOJAI
S/O RAM MOHAN HOJAI
R/O LONGKUKRO

P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

20: RANJIT PHONGLO
S/O JOYBOLO PHONGLO
R/O THAOSENPUR
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

21: JOYPURO HOJAI
S/O LATE LADON HOJAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

22: RANGNON LANGTHASA
S/O LT. DANTHAU LANGTHASA
R/O HAFLONG TOWN BLK IT (BAZAR)
P.O.AND P.S. HAFLONG
DIST. DIMA HASAO
ASSAM
PIN-788819
VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM

REVENUE AND DISASTER MANAGEMENT DEPTT. DISPUR
GUWAHATI
PIN-781006

2:THE NORTH CACHAR HILLS AUTONOMOUS COUNCIL (NCHAC)

REPRESENTED BY THE PRINCIPAL SECRETARY
(N)
HAFLONG
DIMA HASAO
PIN-788819

3:THE EXECUTIVE MEMBER

I/C SETTLEMENT AND REVENUE DEPARTMENT

NCHAC
HAFLONG

DIMA HASAO
PIN-788819

4:THE SECRETARY REVENUE
I/C SETTLEMENT AND REVENUE DEPARTMENT
NCHAC
HAFLONG

DIMA HASAO

PIN-788819

5:THE ADDITIONAL SECRETARY REVENUE DEPARTMENT

NCHAC
HAFLONG

DIMA HASAO
PIN- 788819

6:ASSISTANT REVENUE OFFICER

REVENUE DEPARTMENT

NCHAC
UMRANGSO
DIMA HASAO

PIN-788931.

7:M/S MAHABAL CEMENT PVT. LTD.
BL-C10
5TH FLOR
FL-504
B1-90A/A1 NEW B.B.T. ROAD

SARDENGABAD EDEN CITY
KOLKATA
WEST BENGAL
PIN- 700137
REGISTERED OFFICE ADDRESS- 7
COUNCIL HOUSE STREET

2ND FLOOR
KOLKATA

WEST BENGAL
PIN-700001

Advocate for : MR. A I KATHAR
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND 6 ORS

BEFORE

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

21-04-2025

1. Pursuant to this Court's order dated 12.03.2025, an affidavit has been filed by the authority of Dima Hasao Autonomous Council (DHAC) in WP(C) No. 467/2025.
2. In the aforesaid affidavit, amongst other it is stated that the Executive Committee of the Dima Hasao Autonomous Council in its Meeting dated 24.01.2025 had taken a decision (Resolution No. 10) on the subject matter of proposal of Addl. Secretary i/c Land & Revenue Department, Dima Haso Autonomous Council for alternate arrangement of land for the beneficiaries of Nobdi Longkukro Village affected by the Mahabal Cement Project to be set up in the District and approved for re-allotment of land at the adjacent side of Nobdi Longkukro Village to the affected beneficiaries of Nobdi Longkukro Village. Thereafter, on 06.03.2025 the Additional Secretary Revenue, Dima Haso Autonomous Council issued Notification No. REV/LR/CEMENT/II/2023-24/ dated 06.03.2025 where it is mentioned that in pursuance of the Executive Committee Meeting dated 24.01.2025, the Dima Hasao Autonomous Council is pleased to re-allocate the alternate land situated approximately 500 meters away adjacent to Nobdi Longkukro Village to the affected land owners and beneficiaries whose land falls under the allotted land of Mahabal Cement Plant in equal proportion to the land acquired for the project for their agricultural purposes and also to provide necessary monetary compensation accordingly."

- 3.** It is also a stand of the authority that no affected person has made any claim before the Council till date.
- 4.** Mr. A.I.Kathar, learned counsel for the petitioners submits that no demarcation has been made so as to indentify the actual possession of the petitioners.
- 5.** Be that as it may, Mr.Kathar, learned counsel for the petitioners, shall file reply to the aforesaid affidavit.
- 6.** List these matters after 3 (three) weeks on a date to be fixed by the Registry.
- 7.** The interim order passed earlier in WP(C) No.337/2025 shall continue until further order of the Court.

JUDGE

Comparing Assistant