

GAHC010016672026



undefined

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

Case No. : WP(C)/803/2026

SMTI MANOMATI BAROOAH AND ANR
WIFE OF LATE KAMALA KANTABAROOAH, RESIDENT OF GEETALIART
PRESS, SLUICE GATE, OPPOSITE DOWN TOWN HOSPITAL BUS STOP, G.S.
ROAD, GUWAHATI -781022, IN THE DISTRICT OF KAMRUP METRO, ASSAM.

2: SMT. GEETALI BAROOAH BANERJEE

WIFE OF SRI ARUP KUMAR BANERJEE

RESIDENT OF GEETALI ART PRESS
SLUICE GATE
OPPOSITE DOWN TOWN HOSPITAL BUS STOP
G.S. ROAD
GUWAHATI-781022
IN THE DISTRICT OF KAMRUP (METRO)
ASSAM

VERSUS

THE STATE OF ASSAM AND 9 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, HAVING HIS OFFICE AT ASSAM SECRETARIAT,
DISPUR, GUWAHATI, DISTRICT KAMRUP METRO, PIN CODE-
781006, ASSAM.

2: THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
PWD(R) DEPARTMENT
GOVT. OF ASSAM
SECRETARIATE
DISPUR
GUWAHATI-781006.

3: THE SECRETARY GOVT. OF ASSAM

PWD (R) DEPARTMENT
ASSAM SECRETARIATE
DISPUR
GUWAHATI-781006.

4:THE CHIEF ENGINEER
PWD (R) DEPARTMENT
CHANDMARI
GUWAHATI-781003.

5:THE EXECUTIVE ENGINEER

PWD (R) DEPARTMENT
DISPUR AND DIMORIA TERRITORIAL ROAD DIVISION
GUWAHATI-781021.

6:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
REVENUE
DISASTER MANAGEMENT (LR) DEPARTMENT
DISPUR
GUWAHATI-781006.

7:JOINT SECRETARY TO THE GOVT. OF ASSAM

REVENUE DISASTER MANAGEMENT (LR) DEPARTMENT
DISPUR
GUWAHATI-781006.

8:THE DISTRICT COMMISSIONER

KAMRUP (METRO)
(LAND ACQUISITION BRANCH)
GUWAHATI-781036.

9:THE CIRCLE OFFICER

DISPUR REVENUE CIRCLE
BELTOLA
GUWAHATI-781028

10:THE SUB-DIVISIONAL OFFICER (SADAR)

I/C LAND ACQUISITION BRANCH
KAMRUP (METRO)
GUWAHATI-78103

For the Petitioner(s) : Mr. H. Buragohain, Advocate

For the Respondent(s) : Mr. H. Sharma, Addl. Sr. GA, Assam
: Ms. G. Hazarika, Standing counsel

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 28.08.2026

The present writ petition has been filed by the Petitioners challenging the initiation of L.A. Case No. 27/2025 whereby the Respondent Authorities are proposing to acquire 4 Lechas of land belonging to the Petitioners covered by Dag No. 1066 of K.P. Patta No.131 of Village Sarumotoria under Dispur Revenue Circle, Kamrup (Metro), Guwahati for the construction of a proposed foot over bridge between Bhagadatta I and Bhagadatta II on G.S. Road.

2. Pursuant to the directions passed by this Court in the order dated 27.02.2026, there was a physical verification carried out and it is mentioned that the Petitioners would have an ingress and egress after the acquisition is carried out to the extent of 16.5 feet to the Petitioners' land.

3. Mr. H. Buragohain, the learned counsel appearing on behalf of the Petitioners submitted that the Petitioners intend to use

the said land for the construction of a multi-storey building and in terms of the requirements set out by the Fire Department for obtaining the NOC, there has to be a passage of at least 19 feet which is equivalent to approximately 6 metres to the Petitioners' land.

4. Mr. H. Sharma, the learned Additional Senior Government Advocate appearing on behalf of the District Commissioner, Kamrup (Metro) submitted that he would obtain the necessary instructions as to whether upon acquisition, the Petitioners can still have a passage of 19 feet which is equivalent to 6 metres to the Petitioners' land.

5. An affidavit be filed on behalf of the District Commissioner, Kamrup (Metro) in that regard.

6. List this matter again on 02.11.2026.

JUDGE

Comparing Assistant