

GAHC010017522022



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

Case No. : WP(C)/901/2022

PANCHARATNA KRISHI PAM S.S. LTD., DARRANG, EP. BY GOLAM HADI
CHOUDHURY AND 3 ORS.

VILL.- KEHUTOLI, P.O. AND P.S. DHULA, DIST.- DARRANG, ASSAM, PIN-
784146.

2: HARUN AR RASHID
VILL.
P.O. AND P.S. KHARUPETIA
DIST.- DARRANG
ASSAM PIN- 784115.

3: DILIP DEKA
VILL.- KEHUTOLI
P.O. AND P.S. DHULA
DIST. DARRANG
ASSAM PIN- 784146.

4: INSAN ALI
VILL.- NIJ-BARUAJHAR
P..S KHARUPETIA
DIST. DARRANG
ASSAM PIN- 784115

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPT., DISPUR, GUWAHATI-
781006.

2:DEPUTY COMMISSIONER
DARRANG
MANGALDOI
ASSAM

PIN- 784125.

3:CIRCLE OFFICER
DOLGAON
DIST. DARRANG
ASSAM
PIN- 784116.

4:ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES
DARRANG MANGALDOI
PIN- 784125.

5:EXECUTIVE ENGINEER
KHARUPETIA MUNICIPAL BOARD
P.O. KHARUPETIA DIST. DARRANG
ASSAM PIN- 784115

Advocate for the Petitioner : MR. N H MAZARBHUIYAN
Advocate for the Respondent : GA, ASSAM

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

15-02-2022

Heard Mr. M. H. Saikia, learned counsel for the petitioner Society and Ms. N. Bordoloi, learned Standing counsel, Revenue Department for the respondent No.1. Also heard Mr. J. Handique, learned Government Advocate, Assam for the respondent Nos. 2, 3, 4 and 6 as well as Mr. G. Bordoloi, learned Standing counsel, Co-operation Department for the respondent No.5.

Petitioners claimed that they are surrendered ULFA militants and for their rehabilitation, the State Government formulated a policy to allot land towards agricultural sector. Accordingly, the petitioners formed Pancharatna Krishi Pam Samabai Samittee Ltd., and registered it under the provisions of the Assam Co-operative Societies Act, 2007.

Petitioners contended that though the Sub-Divisional Land Advisory Committee, Udalguri in its meeting held on 20.12.2000 recommended for allotment of Government land measuring 1 Bigha of Dag No.1606 of Kharupetia Town, Mouza – Kharupetia to the petitioners' in its cooperative society, but the said Government land is yet to be handed over to them by the

authorities in the Revenue Administration of the District inspite of such recommendation of the concerned Sub-Divisional Land Advisory Committee, Udalguri dated 20.12.2020. Being aggrieved, the petitioners have preferred this writ petition.

List on **14.03.2022** enabling the respondents to apprise the Court as to whether the authorities concerned have taken any decision to settle the aforesaid Government land measuring 1 Bigha of Kharupetia Town, noted above, with the petitioner Society and if so, the status of the same.

Further, on the next date fixed, the petitioners shall place relevant scheme on the basis of which the petitioners being surrendered ULFA claimed for settlement of Government land.

On the said date so fixed the Deputy Commissioner, Udalguri, as well as the Deputy Commissioner, Darang and the Circle Officer, Dalgaon Revenue Circle, Dalgaon shall apprise the Court as to whether the said Government land measuring 1 Bigha of Dag No.1606 of Kharupetia Town is agricultural land or some other class of land.

Petitioner shall serve requisite extra copies of this writ petition including the annexures appended thereto to Ms. N. Bordoloi, learned Standing counsel, Revenue Department, Mr. J. Handique, learned Government Advocate, Assam and Mr. G. Bordoloi, learned Standing counsel, Co-operative Department within two days from today obtaining necessary acknowledgment from them in that regard.

Copies of this order be furnished to Ms. N. Bordoloi, learned Standing counsel, Revenue Department and Mr. J. Handique, learned Government Advocate, Assam for their necessary use.

JUDGE

Comparing Assistant