

GAHC010018672014



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

Case No. : Cont.Cas(C)/577/2014

SMTI MUNNI HARIJAN
W/O- LT. GOPAL BASPHOR, K.B. ROAD, GHY- 8, DIST.- KAMRUP ASSAM.

VERSUS

GYANENDRA DEV TRIPATHI and 2 ORS.
IAS, COMMISSIONER and SECY. TO THE GOVT. OF ASSAM, DEPTT. OF
REVENUE, DISPUR, GHY- 6.

2:DR. M. ANGAMUTHU
IAS
THE DY. COMMISSIONER
KAMRUP
GUWAHATI.

3:LAXMINANDAN SAHARIA
CIRCLE OFFICER
GUWAHATI REVENUE CIRCL

Advocate for the Petitioner : MR.S P CHOUDHURY

Advocate for the Respondent : MR.M BHAGABATI

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 29.05.2023

There is no representation on behalf of the petitioner today on call.

Mr. M. Bhagabati, learned counsel for the respondent no. 1 is present.

Mr. D.K. Roy, learned counsel appearing for the respondent no. 3 has submitted that the respondent no. 3 has been transferred from the office of the Circle Officer, Guwahati Revenue Circle long back.

The instant contempt application is preferred alleging violation of an order dated 04.06.2014 passed in the writ petition, W.P.[C] no. 2767/2014. The order dated 04.06.2014 was an interim order whereby it was directed that the petitioner should not be evicted in the interim from the subject-land. The instant contempt application has been filed with the allegation that there was violation of the direction made in the interim order dated 04.06.2014 by the respondents, more particularly, the respondent no. 3 who came to the plot of land belonging to the petitioner and completely destroyed the RCC building of the petitioner where she was living along with her family for the last 14 years.

It is to be noted that the writ petition, W.P.[C] no. 2767/2014 was heard at length and was allowed by an order dated 20.01.2022 by setting aside the notice issued under Rule 18[2] read with Regulation 165[1], 165[2] and 165[3] of the Assam Land and Revenue Regulation, 1886 in connection with Encroachment Case no. 14/2014. By order dated 20.01.2022, this Court while allowing the writ petition, passed a direction to the respondent authorities not to take any coercive action against the petitioner in respect of the petitioner's plot of land where she has a patta issued in her favour.

As the learned counsel for the petitioner is found absent today on call, list the case again on 09.06.2023.

JUDGE

Comparing Assistant