

GAHC010019192025



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

Case No. : WP(C)/647/2025

BARKHETRI TRINAMOL SIKHITA NIBONUA YUBA SAMAJ
REPRESENTED BY ITS SECRETARY SRI HARMOHAN KAKATI, AGE ABOUT
60 YEARS, , S/O- LATE KESHAB KAKATI, RESIDENT OF VILLAGE-
SAPKATA, POST OFFICE- NALBARI, POLICE STATION -NALBARI
DISTRICT-, ASSAM, PIN-781126

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, REVENUE AND DISASTER MANAGEMENT ,
DEPARTMENT LAND SETTLEMENT BRANCH, DISPUR, GHY-781006

2:THE DY. COMMISSIONER
NALBARI LAND SETTLEMENT BRANCH
DISTRICT. NALBARI
ASSAM
PIN- 781335.

3:THE ADDL. DY. COMMISSIONER
REVENUE
NALBARI
DISTRICT- NALBARI
ASSAM
PIN- 781335.

4:THE CIRCLE OFFICER
BARKHETRI REVENUE CIRCLE
NARAYANPUR
MUKALMUA

DISTRICT- NALBARI

ASSAM

PIN- 781126

Advocate for the Petitioner : MR. K N CHOUDHURY, MR. TANUZ KASHYAP, N GAUTAM, MS N MAHANTA, MISS. R R KAKATI

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

BEFORE

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

16-07-2025

1. Heard Mr. K. N. Choudhury, learned Senior counsel assisted by Ms. P.R.Kakati, learned counsel for the petitioner and Mr. A. Bhattacharjee, learned Standing counsel, Revenue & Disaster Management Department for the respondent Nos.1, 3 & 4. Also heard Mr. J. Handique, learned State counsel for the respondent No. 2.

2. It is the case of the petitioner organization that it was allotted an area of land, measuring 82 bighas under Dag No. 106, situated at Village-Bakarikuchi, Mouza-Barkhetri, however, the possession of such allotted land was not handed over to the petitioner organization. Accordingly, the petitioner organization has approached this Court by filing the present writ petition.

3. Referring to the report of the Circle Officer, Barkhetri Revenue Circle, Narayanpur, Mukalmua (Annexure-Q to this petition), Mr. Choudhury, learned Senior counsel for the petitioner submits that it is an admitted position that the land in question is settled in favour of the petitioner organization, however, the same is not handed over to it as the same is under possession of other persons and that in the meantime, the encroachers have been evicted. Therefore, there is no impediment to hand over the allotted land to the petitioner organization.

4. At this stage, Mr. Handique, learned State counsel submits that he may be granted some more time to complete his instruction, whether the petitioner organization can be handed over the land in question and if so, within what period.

5. List this matter on **18.08.2025.**

JUDGE

Comparing Assistant