

GAHC010019502026



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

Case No. : WP(C)/778/2026

KARTIK NATH
S/O- LT. KRISHNA KR. NATH,
R/O- VILL-DAKHIN KANDURA ,
P.O.- SANKARDEV NAGAR,
MOUZA-KAKI, P.S. LANKA, DISTRICT- HOJAI, ASSAM, PIN-782442

VERSUS

THE STATE OF ASSAM AND OTHERS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT OF REVENUE LR, DISPUR, GUWAHAU-6

2:THE DIRECTOR OF LAND

RECORDS AND SURVEY
RUPNAGAR
GUWAHATI-32
DISTRICTKAMRUP METRO
ASSAM.

3:THE DISTRICT COMMISSIONER
HOJAI
DISTRICT-HOJAI
ASSAM. PIN-782435.

4:THE CIRCLE OFFICER
LANKA REVENUE CIRCLE
LANKA
DISTRICT-HOJAI
ASSAM. PIN782446

For the Petitioner(s) : Ms. K. Das, Advocate
For the Respondent(s) : Mr. B.J. Talukdar, Sr. Govt. Advocate
Mr. P.K. Medhi, Govt. Advocate
Ms. G. Hazarika, Standing Counsel

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 13.02.2026

Issue notice making it returnable on 23.03.2026.

2. Mr. P.K. Medhi, the learned Government Advocate appears on behalf of the respondent Nos. 3 and 4 and Ms. G. Hazarika, the learned Standing Counsel appears on behalf of the respondent Nos. 1 and 2 and accepts notice.
3. Extra copies of the writ petition be served upon the respective counsels by 16.02.2026.
4. The petitioner herein is aggrieved by the rejection of his application for settlement of the ceiling surplus land on the ground that the land is within the tribal Belt and Block, and the petitioner is not a permanent resident of that tribal Belt and Block and does not belong to the protected class under Chapter-X of the Assam Land and Revenue Regulation, 1886.
5. The learned counsel appearing on behalf of the petitioner drawing the attention of this Court to the various enclosures to

the writ petition submitted that the petitioner as well as his father has been residing in the same locality even prior to the creation of the tribal Belt and Block and as such, this aspect ought to have been taken into consideration. She further submitted that in the circumstance, a person concerned resides within the tribal Belt and Block for generations, there cannot be a bar for settlement of the ceiling surplus land upon such person.

6. The respondents herein are directed to bring on record their stand by filing the affidavits on or before 17.03.2026.

7. List accordingly.

JUDGE

Comparing Assistant