

GAHC010021132019



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

Case No. : WP(C) 723/2019

1: MONMOTH KUMAR PAUL AND 6 ORS.
S/O. LT. CHITTA RANJAN PAUL, R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR), P.O. BAZARICHERRA-788723, DIST. KARIMGANJ, ASSAM.

2: SUROTH KUMAR PAUL

S/O. LT. CHITTA RANJAN PAUL
R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR)
P.O. BAZARICHERRA-788723
DIST. KARIMGANJ
ASSAM.

3: PROMOTH KUMAR PAUL

S/O. LT. CHITTA RANJAN PAUL
R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR)
P.O. BAZARICHERRA-788723
DIST. KARIMGANJ
ASSAM.

4: PANNALAL PAUL

S/O. LT. MANIK CHANDRA PAUL
R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR)
P.O. BAZARICHERRA-788723
DIST. KARIMGANJ
ASSAM.

5: SANJIT KUMAR PAUL

S/O. LT. SUNIL CHANDRA PAUL
R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR)
P.O. BAZARICHERRA-788723
DIST. KARIMGANJ, ASSAM.

6: INDRAJEET KUMAR PAUL
S/O. LT. SUNIL CHANDRA PAUL
R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR)
P.O. BAZARICHERRA-788723
DIST. KARIMGANJ
ASSAM.

7: RANJIT KUMAR PAUL
S/O. LT. SUNIL CHANDRA PAUL
R/O. VILL. MAKUNDARBOND (PRESENTLY SRINAGAR)
P.O. BAZARICHERRA-788723
DIST. KARIMGANJ
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 4 ORS.
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM, REVENUE
DEPTT., DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
REVENUE (SETTLEMENT) DEPTT.
DISPUR
GUWAHATI-781006.

3:THE DIRECTOR OF HIGHER EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-781019
ASSAM.

4:THE DY. COMMISSIONER
KARIMGANJ DISTRICT
P.O. KARIMGANJ-788710
ASSAM.

5:THE CIRCLE OFFICER
PATHARKANDI REVENUE CIRCLE
P.O. PATHARKANDI-7886724
DIST. KARIMGANJ
ASSAM

Advocate for the Petitioner : MR. N DHAR

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE UJJAL BHUYAN**

ORDER

Date : 04-02-2019

Heard Mr. N. Dhar, learned counsel for the petitioners.

Petitioners are aggrieved by letter dated 26.10.2018 of the Deputy Commissioner, Karimganj submitting proposal for allotment of Government khas land for establishment of Government Model College at Bazaricherra under Patharkandi Revenue Circle. It is stated that land in question covered by the letter dated 26.10.2018 belongs to the Baptist Mission, Karimganj of which petitioners are the tenants. Therefore, the said land cannot be construed to be Government khas land.

Mr. Dhar, learned counsel for the petitioners submits that petitioners are entitled to settlement of the said land in terms of Section 15 of the Assam State *Acquisition of Lands belonging to Religious or Charitable Institutions of Public Nature Act, 1959*.

Issue notice, returnable 8 (eight) weeks.

Mr. B. J. Talukdar, learned Standing Counsel, Revenue Department accepts notice on behalf of respondent Nos. 1 and 2. Mr. R. Mazumdar, learned Standing Counsel, Higher Education, Assam accepts notice on behalf of respondent No. 3 whereas Mr. R. Dhar, learned Govt. Advocate, Assam accepts notice on behalf of respondent Nos. 4 and 5.

Extra copies within 3 (three) days.

After hearing learned counsel for the parties and on going through the materials on record, impugned letter dated 26.10.2018 is hereby stayed.

List on **10.04.2019**.

JUDGE

Comparing Assistant