

GAHC010021132019



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

Case No. : WP(C)/723/2019

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

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.

6:BAPTIST MID-MISSION TRUSTEES INDIA
A REGISTERED SOCIETY HAVING ITS REGISTERED OFFICE AT SILCHAR-
788001
DIST- CACHAR
ASSAM ALONG WITH ITS OFFICE AT PATHARKANDI
DISTRICT - KARIMGANJ

For the Petitioner(s)

: Mr. P.K. Roy, Sr. Advocate
Mr. S. Chakraborty, Advocate

For the Respondent(s)

: Mr. A. Bhattacharjee, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : --13.11.2024

Heard Mr. P.K. Roy, the learned Senior Advocate assisted by Mr. S. Chakraborty, the learned counsel appears on behalf of the petitioners and Mr. A. Bhattacharjee, the learned Standing Counsel appears on behalf of the Revenue Department.

2. The issue involved in the instant proceedings pertains to whether the proviso to Section 15(a) of The Assam State Acquisition of Land belonging to Religious or Charitable Institutions of Public Nature Act, 1959 (for short, 'the Act of 1959'), prohibits any settlement to an occupancy tenant as a land holder, or if the person had not acquired the status of any occupancy tenant then as settlement holder of a different religion to that of the institution in which the ownership of the land was vested before the date of the notification under Section 3 of the Act of 1959?

3. Taking into account that the said aspect would require an interpretation to

the provision of Section 15 of the Act of 1959, this Court fixes this matter for admission hearing on 17.12.2024.

4. The interim order passed earlier shall continue till the next date.

JUDGE

Comparing Assistant