

GAHC010023652025



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

Case No. : WP(C)/678/2025

UMMEHANI AHMED

W/O- MD. SAPIOR RAHMAN, VILLAGE-DUMARDAHA PART-III P.O-
BALAJAN, P.S-GAURIPUR, DISTRICT- DHUBRI, ASSAM PIN- 783331

VERSUS

THE STATE OF ASSAM AND 10 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, LAND AND REVENUE DEPARTMENT, DISPUR,
GUWAHATI-06.

2:THE DISTRICT COMMISSIONER
DHUBRI
ASSAM
P.O. AND P.S. AND DISTRICT- DHUBRI
ASSAM. PIN-783301

3:THE SETTLEMENT OFFICER
DHUBRI
ASSAM
P.O. AND P.S.- DHUBRI

DIST.- DHUBRI
ASSAM

PIN- 783301.

4:THE ASSISTANT SETTLEMENT OFFICER
GOLAKGANJ REVENUE CIRCLE
P.O. AND P.S.- GOLAKGANJ

DIST.- DHUBRI

ASSAM

PIN- 783331.

5:THE CIRCLE OFFICER
GAURIPUR REVENUE CIRCLE
DHUBRI
P.O. AND P.S.- DHUBRI

DIST.- DHUBRI
ASSAM

PIN- 783301.

6:THE ASSAM BOARD OF REVENUE
REPRESENTED BY ITS SECRETARY

PANBAZAR
GUWAHATI-01.

7:PRABIR COOMAR BARUA
S/O- LT. PRAKRITISH CHANDRA BARUA

R/O- GAURIPUR TOWN
WARD NO. 2
MATIABAGH

P.O. AND P.S.- GAURIPUR

DIST.- DHUBRI
ASSAM
PIN- 783331.

8:PARDYUT BARUA
S/O- LT. PRAKRITISH CHANDRA BARUA

R/O- GAURIPUR TOWN
WARD NO. 2
MATIABAGH

P.O. AND P.S.- GAURIPUR

DIST.- DHUBRI
ASSAM
PIN- 783331.

9:PRITAM COOMAR BARUA
S/O- LT. PRAKRITISH CHANDRA BARUA

R/O- BYE LANE NO. 2
LAKHIMI NAGAR

JORHAT WEST
JORHAT RESEARCH LABORATORY
ASSAM.
DIST.- JORHAT
ASSAM
PIN- 785006.

10:PARBATI BARUA
D/O- LT. PRAKRITISH CHANDRA BARUA

R/O- HOUSE NO. 28
BYE LANE NO. 6

WEST PUB SARANIA

P.O.- SILPUKHURI
GUWAHATI

DISTRICT- KAMRUP(M)

ASSAM

PIN- 781003.

11:PRANATI PHOOKAN @ PRANATI BARUA
D/O- LT. PRAKRITISH CHANDRA BARUA

W/O- LT. DOUGLAS ARTHUR PHOOKAN

R/O- HOUSE NO. 28
BYE LANE NO. 6

WEST PUB SARANIA

P.O.- SILPUKHURI
GUWAHATI

DISTRICT- KAMRUP(M)

ASSAM

PIN- 781003

Advocate for the Respondent : SC, REVENUE, MR P P SARMA,MR. J ROY,GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : -24.02.2025

Heard Mr. M. Hussain, learned counsel for the petitioner; Ms. G. Hazarika, learned Standing Counsel, Revenue Department for the respondent no. 1; Mr. H. Sharma, learned Additional Senior Government Advocate, Assam for the respondent nos. 2, 3, 4 & 5; and Mr. J. Roy, learned Senior Counsel assisted by Ms. B. Saha, learned counsel for the respondent nos. 7-11.

2. Learned counsel for the parties have submitted that two other writ petitions W.P.[C.] no. 344/2025 and W.P.[C.] no. 443/2025, involving similar issues, are pending before this Court. The petitioner in this writ petition has claimed his relief on the ground that originally, the party respondent no. 7 did not make any prayer for cancellation of mutation in respect of Dag no. 40, but the Assam Board of Revenue in its Order dated 07.01.2025, by *suo moto* enlarging the scope, has ordered to restore the name of the original pattadars as on 18.12.2018, in respect of Dag no. 40 also.

3. The contents of the writ petition as well as the Order dated 07.01.2025 passed by the Assam board of Revenue in Case no. 5RA [DBR] [RVW] / 2022 are perused.

4. Issue notice returnable on 07.03.2025.

5. As Ms. Hazarika, learned Standing Counsel, Revenue Department has appeared and accepted notice for the respondent no. 1; Mr. Sharma, learned Additional Senior Government Advocate, Assam has appeared and accepted notices for the respondent nos. 2, 3, 4 & 5; and Ms. Saha, learned counsel has appeared and accepted notices for the respondent nos. 7-11, formal notices need not be issued to the said respondents. Mr. Hussain, learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with the

annexures, to Ms. Hazarika, Mr. Sharma and Ms. Saha within 2 [two] working days from today.

6. It appears that it is not necessary to issue notice to the respondent no. 6 at this stage.

7. Having regard to the contentions raised, it is observed that the operation of the impugned order dated 07.01.2025 in respect of Dag no. 40 shall not be given effect till the returnable date.

JUDGE

Comparing Assistant