

GAHC010044452025



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

Case No. : WP(C)/1373/2025

MD MANJIR ALI LASKAR
S/O- LATE IDRIS ALI LASKAR,
, RESIDENT OF VILL.- KASHIPUR PART- II, P/O- KASHIPUR, PH-
BARAKPAR, P/S-SILCHAR, DISTRICT- CACHAR, ASSAM,PIN-788809

VERSUS

THE UNION OF INDIA AND ORS
REPRESENTED BY SECRETARY TO THE GOVT OF INDIA, MINISTRY OF
ROAD TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN, 1,
PARLIAMENT STREET, NEW DELHI-110001

2:THE NATIONAL HIGHWAYS AUTHORITY OF INDIA
REGIONAL OFFICE AT GUWAHATI NEDFI HOUSE
4TH FLOOR
G.S
ROAD
DISPUR
GUWAHATI- 06

3:THE DISTRICT COMMISSIONER
CACHAR
SILCHAR
P/O- SILCHAR DISTRICT- CACHAR
PIN-788001

4:THE ADDL DISTRICT COMMISSIONER (REVENUE) CUM LAND
ACQUISITION OFFICER

DISTRICT- CACHAR
PIN-788001

5:THE GENERAL MANAGER PROJECT PMU SILCHAR
NHIDCL PESKAR LANE SONAI ROAD KANAKPUR PART 1
SILCHAR-788006

6:MD AZIZUR RAHMAN BARBHUIYA
SON OF-LATE YASIN ALI BARBHUIYA
RESIDENT OF VILL.- KASHIPUR PART- II
P/O- KASHIPUR
P/S- SILCHAR
DISTRICT- CACHAR
ASSA

Advocate for the Petitioner : MR. A ISLAM, MR. L R MAZUMDER

Advocate for the Respondent : DY.S.G.I., GA, ASSAM,SC, NHIDC,SC, NHAI

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

04.08.2025

Heard Shri LR Mazumdar, learned counsel for the petitioner.

The grievance of the petitioner is in connection with the compensation for acquisition of land by the National Highway Authority of India in connection with the Bharat Mala Project in the district of Cachar. It also transpires that the petitioner had instituted a Title Suit No. 84/2009 which was decreed on 31.05.2016 and the suit was dismissed whereafter, the petitioner had preferred Title Appeal No. 34/2016 which was allowed vide the judgment dated 09.02.2021. It also submitted that the private respondent no. 6 has thereafter preferred a second appeal, being RSA No. 27/2022 which is pending in this Court.

Shri Mazumdar, learned counsel for the petitioner has submitted that the present cause of action is with regard to the apportionment of the compensation.

Let notice be issued, returnable by 6 weeks.

Ms. R Bora, learned Standing Counsel, NHIDCL accepts notice on behalf of the

respondent nos. 1 and 5; Ms. L Gogoi, learned counsel appearing on instructions of Shri C Boruah, learned Standing Counsel, NHAI accepts notice on behalf of the respondent no. 2 whereas Shri H Sharma, learned Addl. Sr. Govt. Advocate, Assam accepts notice on behalf of the respondent nos.3 and 4.

Steps for service of notice upon the respondent no. 6 be taken by registered post with A/D.

Steps within 2 days.

Any action taken towards disbursement of the compensation amount shall be subject to further order(s) that may be passed in this petition.

Maintainability of this writ petition is, however kept open.

JUDGE

Comparing Assistant