

GAHC010048012021



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

**Case No. : WP(C)/1735/2021**

GOPAL BRAHMA @ GOPAL BORO  
S/O- LT. TARANI BORO, R/O- VILL- GADHULIGAON, P.S. PATACHARKUCHI,  
DIST.- BAKSA, BTAD, ASSAM, PIN- 781372

VERSUS

THE UNION OF INDIA AND 12 ORS.  
REP. BY THE DEFENCE SECRETARY TO THE GOVT. OF INDIA, MINISTRY  
OF DEFENCE, SOUTH BLOCK, NEW DELHI- 110011

2:THE STATE OF ASSAM  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
JANATA BHAWAN  
DISPUR  
GHY-06

3:THE BODOLAND TERRITORIAL COUNCIL  
REP. BY ITS PRINCIPAL SECRETARY  
BODOLAND SECRETARIAT  
BODOFA NWGWR  
KOKRAJHAR  
BTR  
ASSAM- 783370

4:THE DEFENCE SECRETARY TO THE GOVT. OF INDIA  
MINISTRY OF DEFENCE  
SOUTH BLOCK  
NEW DELHI- 110011

5:THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.

JANATA BHAWAN  
DISPUR  
GHY-06

6:THE PRINCIPAL SECRETARY  
BODOLAND TERRITORIAL COUNCIL  
BODOLAND SECRETARIAT  
BODOFA NWGWR  
KOKRAJHAR  
BTR  
ASSAM- 783370

7:THE CHIEF OF ARMY STAFF  
INDIAN ARMY  
INTEGRATED HEADQUARTERS OF MINISTRY OF DEFENCE (ARMY)  
SOUTH BLOCK  
NEW DELHI- 110011

8:THE GENERAL OFFICER COMMANDING-IN-CHIEF  
EASTERN COMMAND  
INDIAN ARMY  
FORT WILLIAM  
HASTINGS  
KOLKATA- 700021

9:THE DIRECTOR GENERAL DEFENCE ESTATES  
MINISTRY OF DEFENCE  
GOVT. OF INDIA  
RAKSHA SAMPADA BHAWAN  
ULAANBAATAR MARG  
DELHI COMMANDANT  
NEW DELHI- 110010

10:THE DEFENCE ESTATES OFFICER  
TEZPUR CIRCLE  
TEZPUR  
DIST.- SONITPUR  
ASSAM- 784001

11:THE DY. COMMISSIONER  
BAKSA  
MUSHALPUR  
DIST.- BAKSA  
BTR  
ASSAM- 781371

12:THE CIRCLE OFFICER  
JALAH REVENUE CIRCLE

JALAHGHAT  
DIST.- BAKSA  
BTR  
ASSAM- 784001

13:THE COMMANDING OFFICER  
ARMY CAMP  
SIMLA  
INDIAN ARMY  
C/O 99 AP

**Advocate for the Petitioner** : MR. P D NAIR, MR. H ROHMAN, S R A NASER, MR G ALAM

**Advocate for the Respondent** : ASSTT.S.G.I., MR A BHATTACHARYA (SC, REVENUE AND DISASTER MANAGEMENT DEPARTMENT), MR H GUPTA, MR H GUPTA, MR. C K S BARUAH, SC, BTC, SR. GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 09.02.2026**

- 1.** Mr. D.C Moshahary, learned Standing counsel, B.T.C, Assam has, in terms of the directions passed by this Court vide order dated 05.12.2025, placed on record the valuation of the land of the petitioner which was occupied by the Indian Army.
- 2.** However, the B.T.C authorities have not brought on record the calculations with regard to the compensation, required to be paid to the petitioner for such occupation of land by the Indian Army. This Court had required the Circle Office, Jalah Revenue Circle to also compute the compensation required to be paid to the petitioner for usage of his property by the Indian Army.
- 3.** Mr. H Gupta, learned C.G.C for the Army authorities submits that it is for the district administration to assess the compensation required to be paid to the

petitioner and thereafter, to forward the same to the Army authorities for further steps at their end.

**4.** Mr. D.C Moshahary, learned Standing counsel, B.T.C, Assam submits that the for the purpose of assessment of the compensation required to be paid to the petitioner, the joint verification is required to be made by involving the District administration, the P.W.D authorities, the petitioner and the Army authorities.

**5.** The said contention is not disputed by the learned counsel for the petitioner as well as the learned counsel appearing for the Army authorities.

**6.** In view of the above, the Secretary, Land & Revenue, B.T.C shall take steps for a joint inspection of the property of the petitioner by constituting a team consisting of the officials of the district administration of Baksa, the P.W.D (Building) authorities, the petitioner and the Army authorities.

**7.** The Secretary, Land & Revenue, B.T.C shall fix a date for such inspection and intimate the same to the other constituents of the committee now required to be so constituted. The inspection be carried out within a period of 1(one) month from today.

**8.** On the inspection being made, the Committee to submit its report to the Secretary, Land & Revenue, B.T.C, who shall, thereafter, basing on the report, assess the compensation receivable by the petitioner in the matter for the occupation of his land by the Army authorities for the period in question.

**9.** The said assessment of the compensation be placed before this Court along with the report of the committee now required to carry out the inspection of the property of the petitioner, on the next date of listing.

Registry to list this matter again on **16.03.2026**.

**JUDGE**

**Comparing Assistant**