

GAHC010048012021



**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

**Advocate for the Respondent** : ASSTT.S.G.I.

**BEFORE  
HON'BLE MR. JUSTICE KARDAK ETE**

O R D E R

03.05.2024.

Heard Mr. H. Rohman, learned counsel for the petitioner.

This Court on 04.04.2024, directed Mr. H. Gupta, learned CGC to obtain instruction as regards the time frame within which the compensation can be released in favour of the petitioner and to place on record by way of an affidavit on having noted that the dispute as regards the ownership right over the land in question has been decided in favour of the petitioner, on the basis of the letter dated 15.03.2024, by the Joint Secretary, BTC, Kokrajhar.

However, today Mr. H. Gupta, learned CGC, by placing the communication dated 20.04.2024 submits that it is the Revenue Authority/Deputy Commissioner, Kokrajhar under the BTC to decide the entitlement of compensation to the petitioner. Until the time, the authorities under the BTC decides by placing the

compensation amount to be paid, the Union of India is handicapped to release such amount of compensation.

In the above circumstances, Mr. H. Gupta, learned CGC prays for listing the matter after three weeks to bring on record the instruction received by him, by way of an affidavit.

Accordingly list the matter after three (3) weeks, as prayed for.

JUDGE

**Comparing Assistant**