

GAHC010049952024



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

**Case No. : WP(C)/1645/2024**

PARAMA PATOWARY  
S/O- LATE ARUN PATOWARY, R/O.- VILL.- DEKA PARA, P.O. SINGRA, P.S.  
BOKO, DIST. KAMRUP, ASSAM, PIN- 781135.

VERSUS

THE UNION OF INDIA AND 6 ORS  
THROUGH THE SECRETARY TO THE GOVERNMENT OF INDIA, MINISTRY  
OF RAILWAY, RAIL BHAWAN, NEW DELHI-110001.

2:THE GENERAL MANAGER

N.F. RAILWAY  
MALIGAON  
GUWAHATI-781001.

3:THE CHIEF ENGINEER

N.F. RAILWAY  
MALIGAON  
GUWAHATI-781001.

4:THE STATE OF ASSAM

THROUGH THE SECRETARY TO THE GOVERNMENT OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT  
DISPUR  
GUWAHATI-781006.

5:THE DEPUTY COMMISSIONER

KAMRUP  
AMINGAON  
ASSAM  
PIN- 781039.

6:THE ADDITIONAL DISTRICT COMMISSIONER  
OFFICE OF THE DEPUTY COMMISSIONER  
KAMRUP  
AMINGAON  
(LAND ACQUISITION BRANCH)  
ASSAM  
PIN- 781039.

7:THE CIRCLE OFFICER  
BOKO REVENUE CIRCLE  
P.O. AND P.S. BOKO  
DIST. KAMRUP  
ASSAM  
PIN- 781123

**Advocate for the Petitioner** : MR N N UPADHYAYA

**Advocate for the Respondent** : GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**22.03.2024**

Heard Mr. R. Dhar, learned counsel for the petitioner. Also heard Mr. K. K. Parashar, learned CGC representing the respondent Nos. 1, 2 and 3, Ms. G. Hazarika, learned counsel for the respondent No. 4 and Ms. S. Sarma, learned counsel for the respondent Nos. 5, 6 and 7.

The grievance of the petitioner is that his patta land has been occupied by the respondent Railways without any process of land acquisition.

Issue notice returnable after six weeks.

As Mr. K. K. Parashar, learned CGC accepts notice on behalf of the respondent Nos. 1, 2 and 3, Ms. G. Hazarika, learned counsel accepts notice on behalf of the

respondent No. 4 and Ms. S. Sarma, learned counsel accepts notice on behalf of the respondent Nos. 5, 6 and 7, no formal notice need be issued to the said respondents. However, extra copies of this writ petition be served to the learned counsel for the respondents respectively.

On the next date fixed, the respondent No. 7 may file an affidavit whether the land stated to be in occupation of the Railways is actually in occupation without any due process of land acquisition and respondent Railway also responds to such allegation in the meantime.

List this matter after six weeks on a date to be fixed by the Registry.

**JUDGE**

**Comparing Assistant**