

GAHC010058142024



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

Case No. : WA/154/2024

1: CHAMEN ALI AND ORS

S/O- MONSER ALI SK @ MONSER ALI, R/O- RAJABALA BHALUKKANDI,
P.O. PATAKATA, P.S. SOUTH SALMARA, DIST.- SOUTH SALMARA-
MANKACHAR, PIN- 783127, ASSAM

2: ANOWAR ALI

S/O- MONSER ALI SK @ MONSER ALI R/O- RAJABALA BHALUKKANDI
P.O. PATAKATA P.S. SOUTH SALMARA DIST.- SOUTH SALMARA-
MANKACHAR PIN- 783127 ASSAM

3: ALI CHAN

S/O- MONSER ALI SK @ MONSER ALI R/O- RAJABALA BHALUKKANDI
P.O. PATAKATA P.S. SOUTH SALMARA DIST.- SOUTH SALMARA-
MANKACHAR PIN- 783127 ASSAM

4: ASHAN ALI

S/O- MONSER ALI SK @ MONSER ALI R/O- RAJABALA BHALUKKANDI
P.O. PATAKATA P.S. SOUTH SALMARA DIST.- SOUTH SALMARA-
MANKACHAR PIN- 783127 ASSAM

5: SANOWAR ALI

S/O- MONSER ALI SK @ MONSER ALI R/O- RAJABALA BHALUKKANDI
P.O. PATAKATA P.S. SOUTH SALMARA DIST.- SOUTH SALMARA-
MANKACHAR PIN- 783127 ASSAM

VERSUS

1: THE STATE OF ASSAM AND 8 ORS. REPRESENTED BY THE
COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM ,REVENUE
AND DISASTER MANAGEMENT DEPTT., DISPUR, GHY-6

2:THE COMM. AND SECY. EDUCATION HIGHER DEPTT.
GOVT. OF ASSAM DISPUR GHY-6

3:THE DY. COMMISSIONER
SOUTH SALMARA-MANKACHAR ASSAM

4:THE SUB DIVISIONAL OFFICER
(CIVIL) SOUTH SALMARA MANCACHAR

5:THE EXECUTIVE ENGINEER
PWD (BUILDING) DIVISION DHUBRI ASSAM

6:THE CIRCLE OFFICER
SOUTH SALMARA REVENUE CIRCLE SOUTH SALMARA ASSAM

7:SUPERINTENDENT OF POLICE
SOUTH SALMARA-MANKACHAR ASSAM

8:MAHESH KUMAR CHANANI
S/O- LT. MATHURAM CHANANI R/O- WARD NO. 18 SBI COLONY
HOJAI DIST.- HOJAI ASSAM PIN- 782435.

9:JOHIRUL ISLAM
(LOT MONDAL HIZIRHAT-KHOPATI REVENUE VILLAGE UNDER SOUTH
SALMARA REVENUE CIRCLE) S/O LATE BOKHIOTULLAH RESIDENT OF
VILLAGE SUNDHORPARA PO TUMNI PS SOUTH SALMARA DIST SOUTH
SALMARA MANKACHAR ASSAM 78312

Linked Case : WA/138/2024

1: AMIR ALI AND 6 ORS.
S/O JURAN ALI RESIDENT OF VILLAGE TUMNISIMLAKANDI PO TUMNI PS
SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

2: ABUL KALAM AZAD
S/O JURAN ALI RESIDENT OF VILLAGE TUMNISIMLAKANDI PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

3: ARFAN ALI
S/O PORAN BASHI RESIDENT OF VILLAGE TUMNISIMLAKANDI PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

4: OSMAN ALI
S/O PORAN BASHI RESIDENT OF VILLAGE TUMNISIMLAKANDI PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

5: HOBIBOR RAHMAN
S/O LATE MONSER ALI RESIDENT OF VILLAGE TUMNISIMLAKANDI PO
TUMNI PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM
783127

6: HAMED ALI
S/O LATE MONSER ALI RESIDENT OF VILLAGE TUMNISIMLAKANDI
PO TUMNI PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR
ASSAM 783127

7: CHAMEN ALI @ SAMEN ALI
S/O LATE MONSER ALI RESIDENT OF VILLAGE BHALUKKANDI PO
PATAKATA PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR
ASSAM 783127

VERSUS

1: THE STATE OF ASSAM AND ORS. REPRESENTED BY THE COMMISSIONER
AND SECRETARY TO THE GOVT OF ASSAM REVENUE AND DM DEPTT
DISPUR GUWAHATI 06

2: THE COMMISSIONER AND SECRETARY EDUCATION HIGHER
DEPARTMENT GOVT OF ASSAM DISPUR GUWAHATI 06

3: THE DEPUTY COMMISSIONER
SOUTH SALMARA MANKACHAR ASSAM

4: THE SUB DIVISIONAL OFFICER (CIVIL)
SOUTH SALMARA MANKACHAR ASSAM

5: THE EXECUTIVE ENGINEER
PWD (BUILDING) DIVISION DHUBRI ASSAM

6: THE CIRCLE OFFICER
SOUTH SALMARA REVENUE CIRCLE ASSAM

7: SUPERINTENDENT OF POLICE
SOUTH SALMARA MANKACHAR ASSAM

8: JOHIRUL ISLAM
(LOT MONDAL HIZIRHAT-KHOPATI REVENUE VILLAGE UNDER SOUTH
SALMARA REVENUE CIRCLE) S/O LATE BOKHIOTULLAH RESIDENT OF
VILLAGE SUNDHORPARA PO TUMNI PS AND DIST SOUTH SALMARA
MANKACHAR ASSAM 783127

Linked Case : WA/94/2024

1: SUKCHAN ALI AND ORS.
S/O LATE MAMUD ALI RESIDENT OF VILLAGE BOIDDOR GAON PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

2: INAM HUSSAIN @ IMAN ALI
S/O LATE ROSTOM ALI RESIDENT OF VILLAGE TUMNISIMLA PO TUMNI PS

SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

3: ABUL HUSSAIN

S/O LATE ROSTOM ALI RESIDENT OF VILLAGE TUMNISIMLA PO TUMNI PS
SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

4: A MOZID @ MAZID ALI

S/O LATE ROSTOM ALI RESIDENT OF VILLAGE TUMNISIMLA PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

5: GUTU SHEIKH @ GHUTU MUNSHI

S/O SIKIM UDDIN RESIDENT OF VILLAGE TUMNISIMLA PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

6: JOHIRAN BEWA @ JOHIRAN NESSA BEWA

D/O SIKIM UDDIN RESIDENT OF VILLAGE TUMNISIMLA PO TUMNI
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

7: BHULI BIBI

W/O BIDESHI SHEIKH RESIDENT OF VILLAGE RAJABALA BHALUKKANDI
PO PATAKATA PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR
ASSAM 783127

8: ABDUL MATIN

S/O LATE ABUL KASHEM RESIDENT OF VILLAGE RAJABALA
BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST SOUTH
SALMARA MANKACHAR ASSAM 783127

9: A MONNAF @ MONNAF ALI

S/O LATE ABUL KASHEM RESIDENT OF VILLAGE RAJABALA
BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST SOUTH
SALMARA MANKACHAR ASSAM 783127

10: MOTLEBUR RAHMAN

S/O LATE ABUL KASHEM RESIDENT OF VILLAGE RAJABALA
BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST SOUTH
SALMARA MANKACHAR ASSAM 783127

11: ASMOT ALI

S/O LATE SODAGAR ALI @ SODAGAR SHEIKH RESIDENT OF VILLAGE
RAJABALA BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST
SOUTH SALMARA MANKACHAR ASSAM 783127

12: SAMSUL @ SAMSUL SK

S/O LATE SODAGAR ALI @ SODAGAR SHEIKH RESIDENT OF VILLAGE
RAJABALA BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST
SOUTH SALMARA MANKACHAR ASSAM 783127

13: SOBIAL HOQUE @ SOPIAL HOQUE
S/O LATE SODAGAR ALI @ SODAGAR SHEIKH RESIDENT OF VILLAGE
RAJABALA BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST
SOUTH SALMARA MANKACHAR ASSAM 783127

14: INAM ALI @ IMAN ALI
S/O LATE SODAGAR ALI @ SODAGAR SHEIKH RESIDENT OF VILLAGE
RAJABALA BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST
SOUTH SALMARA MANKACHAR ASSAM 783127

15: ASOR ALI @ ASHRAB ALI
S/O LATE SODAGAR ALI @ SODAGAR SHEIKH RESIDENT OF VILLAGE
RAJABALA BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST
SOUTH SALMARA MANKACHAR ASSAM 783127

16: FULCHAN ALI
S/O LATE SODAGAR ALI @ SODAGAR SHEIKH RESIDENT OF VILLAGE
RAJABALA BHALUKKANDI PO PATAKATA PS SOUTH SALMARA DIST
SOUTH SALMARA MANKACHAR ASSAM 783127

VERSUS

1: THE STATE OF ASSAM AND 7 ORS. REPRESENTED BY THE
COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM REVENUE
DISASTER MANAGEMENT DEPARTMENT DISPUR GUWAHATI 06

2: THE COMMISSIONER AND SECRETARY EDUCATION HIGHER
DEPARTMENT GOVT OF ASSAM DISPUR GUWAHATI 06

3: THE DEPUTY COMMISSIONER
SOUTH SALMARA MANKACHAR ASSAM

4: THE SUB DIVISIONAL OFFICER (CIVIL)
SOUTH SALMARA MANKACHAR ASSAM

5: THE EXECUTIVE ENGINEER
PWD (BUILDING) DIVISION DHUBRI ASSAM

6: THE CIRCLE OFFICER
SOUTH SALMARA REVENUE CIRCLE ASSAM

7: SUPERINTENDENT OF POLICE
SOUTH SALMARA MANKACHAR ASSAM

8: JOHIRUL ISLAM
(LOT MANDAL HIZIRHAT KHOPATI REVENUE VILLAGE UNDER SOUTH
SALMARA REVENUE CIRCLE) S/O LATE BOKHIOTULLAH RESIDENT OF
VILLAGE SUNDHORPARA PO TUMNI PS AND DIST SOUTH SALMARA

MANKACHAR ASSAM 783127

Linked Case : WA/74/2024

ABUL KALAM AD 2 ORS

S/O LATE AYAT ALI RESIDENT OF RAJABALA BHALUKKANDI PO PATAKATA
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

2: ABDUL HUSSAIN

S/O LATE AYAT ALI RESIDENT OF RAJABALA BHALUKKANDI PO PATAKATA
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

3: ABDUL MOZID

S/O LATE AYAT ALI RESIDENT OF RAJABALA BHALUKKANDI PO PATAKATA
PS SOUTH SALMARA DIST SOUTH SALMARA MANKACHAR ASSAM 783127

VERSUS

1: THE STATE OF ASSAM AND 6 ORS. REPRESENTED BY THE
COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM REVENUE
AND DISASTER MANAGEMENT DEPARTMENT DISPUR GUWAHATI 6

2:THE COMMISSIONER AND SECRETARY EDUCATION HIGHER
DEPARTMENT GOVT. OF ASSAM DISPUR GUWAHATI 6

3:THE DEPUTY COMMISSIONER
SOUTH SALMARA MANKACHAR ASSAM 783127

4:THE SUB DIVISIONAL OFFICER (CIVIL)
SOUTH SALMARA MANKACHAR 783127

5:THE EXECUTIVE ENGINEER
PWD (BUILDING) DIVISION DHUBRI ASSAM 783301

6:THE CIRCLE OFFICER SOUTH SALMARA REVENUE CIRCLE
SOUTH SALMARA ASSAM 783127

7:SUPERINTENDENT OF POLICE
SOUTH SALMARA MANKACHAR ASSAM 783127

Linked Case : WA/118/2024

1: ABDUL AZIZ MIAH AND 3 ORS.

S/O LATE BANIJ ALI R/O RAJBALA BHALUKKANDI P.O.- PATAKATA
P.S.- SOUTH SALMARA DIST.- SOUTH SALMARA MANKACHAR ASSAM
PIN- 783127.

2: BAHAR ALI

S/O LATE BANIJ ALI R/O RAJBALA BHALUKKANDI P.O.- PATAKATA
P.S.- SOUTH SALMARA DIST.- SOUTH SALMARA MANKACHAR ASSAM
PIN- 783127.

3: IBRAHIM ALI
S/O LATE BANIJ ALI R/O RAJBALA BHALUKKANDI P.O.- PATAKATA
P.S.- SOUTH SALMARA DIST.- SOUTH SALMARA MANKACHAR ASSAM
PIN- 783127.

4: BHALIJAN BIBI
D/O LATE BANIJ ALI R/O RAJBALA BHALUKKANDI P.O.- PATAKATA P.S.-
SOUTH SALMARA DIST.- SOUTH SALMARA MANKACHAR ASSAM PIN-
783127.

VERSUS

1: THE STATE OF ASSAM AND 8 ORS. REPRESENTED BY THE
COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM REVENUE
DISASTER MANAGEMENT DEPTT. DISPUR GUWAHATI- 6.

2: THE COMMISSIONER AND SECRETARY EDUCATION HIGHER DEPTT.
GOVT. OF ASSAM DISPUR GUWAHATI- 6.

3: THE DEPUTY COMMISSIONER SOUTH SALMARA MANKACHAR
P.O. AND P.S.- HATSINGIMARI ASSAM PIN- 783135.

4: THE SUB-DIVISIONAL OFFICER (CIVIL)
SOUTH SALMARA MANKACHAR ASSAM PIN- 783135.

5: THE EXECUTIVE ENGINEER
PWD (BUILDING) DIVISION DHUBRI ASSAM PIN- 783301.

6: THE CIRCLE OFFICER SOUTH SALMARA REVENUE CIRCLE
SOUTH SALMARA ASSAM PIN- 783127.

7: SUPERINTENDENT OF POLICE
SOUTH SALMARA MANKACHAR ASSAM PIN- 783135.

8: MOHESH KUMAR CHANANI
S/O LATE MATHURAM CHANANI R/O VILL.- WARD NO. 18
SBI COLONY HOJAI PIN- 782435 DIST.- HOJAI ASSAM.

9: JOHIRUL ISLAM
(LOT MONDAL HIZIRHAT-KHOPATI REVENUE VILLAGE UNDER SOUTH
SALMARA REVENUE CIRCLE) S/O LT. BOKHIOTULLAH VILL.-
SUNDHORPARA P.O.- TUMNI P.S.- SOUTH SALMARA DIST.- SOUTH
SALMARA MANKACHAR ASSAM PIN- 783127.

For the Appellant(s) : Mr. K. Islam, Advocate.

For the Respondent(s) : Mr. D. Mazumdar, Additional Advocate General, Assam (*through video-conferencing*).
: Ms. N. Bordoloi, Standing Counsel, Revenue & Disaster Management Department.
: Mr. D. Upamanya, Standing Counsel, Education (Higher) Department.

– **B E F O R E** –
HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

01.06.2026

(*Ashutosh Kumar, CJ*)

The talks of settlement are still underway.

For the afore-noted reason, Mr. D. Mazumdar, learned Additional Advocate General, Assam seeks some time to inform this Court about the outcome of the same.

Time prayed for is granted.

Re-notify on **12.08.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant