

GAHC010060292026



2026:GAU-AS:4627

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

Case No. : WP(C)/1848/2026

JANAB ALI AND 2 ORS

C/O - ABDUL GHUNI VILL -2 NO. MAJGAON VTC DAPARA,P.O. DUMAIHAGI
DAPARA SUB-DIST - KAMPUR DIST- NAGAON. ASSAM PIN-782428

2: ABED ALI

C/O - JANAB ALI VILL- KHERONI MAJGAON VTC DAPARA
P.O. DUMAIHAGI DAPARA SUB-DIST - KAMPUR DIST- NAGAON. ASSAM
PIN-782428

3: JABED ALI

C/O- JANAB ALI VILL - MAJGAON VTC DAPARA
P.O. DUMAIHAGI DAPARA SUB-DIST - KAMPUR DIST- NAGAON. ASSAM
PIN-78242

VERSUS

UNION OF INDIA AND 9 ORS

TO BE REPRESENTED BY THE MINISTRY OF ENVIRONMENT FOREST AND
CLIMATE CHANGE INDIRA PARYAVARAN BHAWAN, JORBAGH ROAD,
NEW DELHI INDIA

2:THE STATE OF ASSAM

TO BE REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT
OF ASSAM

JANATA BHAWAN ASSAM SECRETARIAT COMPLEX
DISPUR
GUWAHATI- 781006

3:SPECIAL CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM

ENVIRONMENT FORESTS DEPARTMENT
JANATA BHAWAN ASSAM SECRETARIAT COMPLEX
DISPUR
GUWAHATI- 781006

4:COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
REVENUE DISASTER MANAGEMENT DEPARTMENT
JANATA BHAWAN ASSAM SECRETARIAT COMPLEX
DISPUR
GUWAHATI- 781006

5:PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF FOREST
FORCE AND WILDLIFE
O/O THE PCCF HOFF
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI 781037

6:DIVISIONAL FOREST OFFICER
NAGAON DIVISION
NAGAON
ASSAM.

7:DISTRICT COMMISSIONER
NAGAON
ASSAM.

8:SUPERINTENDENT OF POLICE
NAGAON
ASSAM

9:CIRCLE OFFICER
KAMPUR REVENUE CIRCLE
NAGAON
ASSAM.

10:OFFICER IN CHARGE
KACHUA POLICE STATION
NAGAON
ASSAM

For the Petitioner(s) : Mr. A.R. Bhuyan, Advocate

For the Respondent(s) : Mr. B. Deka, CGC
Mr. P.N. Goswami, Addl. A.G.
Mr. A. Bhattacharya, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : **31.03.2026**

Heard Mr. A.R. Bhuyan, the learned counsel appearing on behalf of the petitioners. Mr. B. Deka, the learned CGC appears on behalf of the respondent No. 1; Mr. P.N. Goswami, the learned Additional Advocate General appears on behalf of the respondent Nos. 2 and 3 to 10 and Mr. A. Bhattacharya, the learned counsel appears on behalf of the respondent No. 4.

2. The petitioners herein have approached this Court apprehending that without any notice the petitioners would be evicted from their occupation, which the Respondent Authorities claim to be a part of the Lutumai Reserved Forest.

3. Mr. P.N. Goswami, the learned Additional Advocate General appearing on behalf of the respondents submitted that taking into account the directions passed by the Supreme Court dated 10.02.2026 in the case of ***Abdul Khalek & Others vs. The State of Assam & Others***, the Forest Department would not evict the petitioners without complying with the directions contained in the said judgment.

4. Taking into account the above, the apprehension on the basis of which the petitioners have approached this Court

appears to be unfounded and accordingly, the instant writ petition stands closed.

5. Be that as it may, it is observed that in the circumstance the Forest Department seeks to initiate any process for eviction of the petitioners herein, the stipulations contained in the judgment of the Supreme Court in ***Abdul Khalek (supra)*** shall be duly complied with.

JUDGE

Comparing Assistant