

GAHC010065722026



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

Case No. : WP(C)/1892/2026

MIRAN HUSSAIN AND 3 ORS
SON OF ABDUL SATTAR RESIDENT OF VILLAGE BAMUN DONGRA
MAUZA MANDIA PS BAGHBAR DISTRICT BARPETA ASSAM -781308

2: ABDUL KADER
SON OF LATE ABDUL KHALEK RESIDENT OF VILLAGE BAMUN DONGRA
MAUZA MANDIA PS BAGHBAR DISTRICT BARPETA ASSAM 781308

3: ABDUL REJJAL ALIAS MD NIZU MIAH
SON OF LATE HABEL UDDIN RESIDENT OF VILLAGE BAMUN DONGRA
MAUZA MANDIA PS BAGHBAR DISTRICT BARPETA ASSAM 781308

4: MS RUPJAN NESSA
WIFE OF ABDUL REJJAL ALIAS NIZU MIYAH RESIDENT OF VILLAGE
BAMUN DONGRA MAUZA MANDIA PS BAGHBAR DISTRICT BARPETA
ASSAM 78130

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVT OF ASSAM REVENUE
DEPARTMENT DISPUR GUWAHATI 06

2:THE DISTRICT COMMISSIONER
BARPETA DISTRICT BARPETA ASSAM 781301 MINISTRY OF EXTERNAL
AFFAIRS SO DB 74B SOUTH BLOCK NEW DELHI 110001

3:ADDL DISTRICT COMMISSIONER REVENUE
BARPETA DISTRICT BARPETA ASSAM 781301

4:THE CIRCLE OFFICER
SARTHEBARI REVENUE CIRCLE DISTRICT BARPETA ASSAM 781307

5:MD HABEL UDDIN

SON OF LATE RABBAN ALI RESIDENT OF VILLAGE PANI MARICHA
MAUZA PAKA PS BARPETA DISTRICT BARPETA ASSAM 781309

6:MD ATAWAR RAHMAN
SON OF LATE RABBAN ALI RESIDENT OF VILLAGE PANI MARICHA
MAUZA PAKA PS BARPETA DISTRICT BARPETA ASSAM 781309

7:MD ALTAB ALI
SON OF LATE RABBAN ALI RESIDENT OF VILLAGE PANI MARICHA
MAUZA PAKA PS BARPETA DISTRICT BARPETA ASSAM 781309

8:MD RAMENA BEGUM
DAUGHTER OF LATE RABBAN ALI RESIDENT OF VILLAGE PANI
MARICHA MAUZA PAKA PS BARPETA DISTRICT BARPETA ASSAM 78130

For the Petitioner(s) : Mr. M. Saikia, Advocate

For the Respondent(s) : Ms. M. Barman, Govt. Advocate
Mr. A. Bhattacharya, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 01.04.2026

Issue notice making it returnable on 15.06.2026.

2. Mr. A. Bhattacharya, the learned Standing Counsel appears on behalf of the respondent No. 1 and Ms. M. Barman, the learned Government Advocate appears on behalf of the respondent Nos. 2 to 4 and accepts notice.

3. Extra copies of the writ petition be served upon the respective counsels by 02.04.2026.

4. As regards the respondent Nos. 5 to 8, the petitioners are

directed to take steps by way of Speed Post by 02.04.2026.

5. In addition to that, the petitioners would be at liberty to affect service upon the respondent Nos. 5 to 8 by way of Dasti routed through the Registry of this Court and file an affidavit of service on or before the next date.

6. The petitioners have challenged the order dated 03.06.2025 passed by the learned Assam Board of Revenue in Revenue Appeal No. 46RA(B)/2024, whereby the order dated 16.08.2024 passed by the Additional District Commissioner (Revenue), Barpeta, was modified and it was held that the private respondents herein would be entitled to mutation only to the extent of 2 Bighas 1 Katha 5 Lechas of land. It is the case of the petitioners that the predecessor-in-interest of the private respondents, namely Late Rabban Ali did not have any land, and as such, the question of granting any mutation does not arise.

7. The private respondents shall bring on record their stand by filing affidavits on or before the next date.

8. In addition to that, the respondent No. 4 is also directed to place on record, as to whether there exists any land belonging to Late Rabban Ali which could have been mutated in favour of his successors-in-interest, i.e., the private respondents.

9. The Registry shall call for the records of Revenue Appeal No. 46RA(B)/2024.

10. List accordingly.

JUDGE

Comparing Assistant