

GAHC010068302019



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

Case No. : WP(C) 2224/2019

1:PRADIP CHANDRA MEDHI AND ANR.
SON OF LATE HOMA MEDHI, R/O. VILLAGE AZARA SOBHAGHAR, P.S.-
AZARA, GUWAHATI- 781017, DIST. KAMRUP(M), ASSAM.

2: DHANESWAR MEDHI
SON OF LATE HOMA MEDHI
R/O. VILLAGE AZARA SOBHAGHAR
P.S.- AZARA
GUWAHATI- 781017
DIST. KAMRUP(M)
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 6 ORS.
REP. BY THE GOVT. OF ASSAM, REVENUE DEPTT., DISPUR, GUWAHATI-
781006, DIST. KAMRUP(M), ASSAM.

2:THE DY. COMMISSIONER
KAMRUP(METRO)
GUWAHATI-781001
ASSAM.

3:THE CIRCLE OFFICER
AZARA REVENUE CIRCLE
DIST.- KAMRUP(M)
ASSAM.

4:KIRAN KACHARI @ SWARGIARY
S/O. LATE BHADO KACHARI
R/O. VILLAGE- PATGAON
P.S. AZARA
DIST.- KAMRUP(M)
ASSAM.

5:GOPI KACHARI @ SWARGIARY
S/O. LATE BHADO KACHARI
R/O. VILLAGE- PATGAON
P.S. AZARA
DIST.- KAMRUP(M)
ASSAM.

6:KAMALESWAR KACHARI @ SWARGIARY
S/O. LATE BHADO KACHARI
R/O. VILLAGE- PATGAON
P.S. AZARA
DIST.- KAMRUP(M)
ASSAM.

7:NAMESWAR KACHARI @ SWARGIARY
S/O. LATE BHADO KACHARI
R/O. VILLAGE- PATGAON
P.S. AZARA
DIST.- KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR. R SARMA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 22-01-2020

Heard Mr. R. Sarma, learned counsel for the petitioners. Also heard Mr. B.J. Talukdar, learned Standing counsel, Revenue Department; Ms. R.B. Bora, learned State counsel appearing for respondent nos. 2 and 3; and Ms. S.D. Saikia, learned counsel appearing for respondent nos. 4 – 7.

Ms. Bora, learned State counsel has submitted that she has received the instruction in the matter.

In the para-wise comments, it is mentioned that no application dated 15.03.2019 has been received by the office of the Deputy Commissioner, Kamrup (M) from respondent nos. 4

– 7 whereas in para 9 of the writ petition, it is averred that the respondent nos. 4 – 7 had submitted an application on 15.03.2019 before the Deputy Commissioner, Kamrup (M) for deletion of name of Bhadu Kachari from Khatian No. 22 in respect of the plot of land measuring 10 Bigha, 1 Katha 4 Lechas covered by Dag Nos. 325, 326 and Patta No. 144 located in Village - Patgaon, Mouza - Dakhin Rani, District – Kamrup (M). Annexure – 7, annexed to the writ petition is, however, an application dated 19.03.2019. From Annexure – 7, it transpires that Bhadu Kachari expired on 17.03.2019. No application could have been filed on 15.03.2019 stating that Bhadu Kachari expired on 17.03.2019.

In view of the above discrepancies, Ms. R.B. Bora shall ascertain as to whether any application was submitted by respondent nos. 4 – 7 before the Deputy Commissioner, Kamrup (M) on 19.03.2019.

List the matter on 10.02.2020.

JUDGE

Comparing Assistant