

GAHC010068302019



2026:GAU-AS:6247

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

Case No. : WP(C)/2147/2019

BHABESH BARUAH @ BHABESH CHANDRA BARUAH AND ANR.
S/O. LATE BIPIN BARUAH @ BIPIN CHANDRA BARUAH
R/O. VILL.- GOSAIPARA
AZARA
P.S.- AZARA
GUWAHATI- 781017
DIST.- KAMRUP(M)
ASSAM.

2: ACHYUT BARUAH @ BIPIN CHANDRA BARUAH
S/O. LATE BIPIN BARUAH @ BIPIN CHANDRA BARUAH
R/O. VILL.- GOSAIPARA
AZARA
P.S.- AZARA
GUWAHATI- 781017
DIST.- KAMRUP(M)
ASSAM.
VERSUS

THE STATE OF ASSAM AND 5 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GUWAHATI-781006
DIST.- KAMRUP(M)
ASSAM.

2: THE DEPUTY COMMISSIONER
KAMRUP(M)
GUWAHATI-781001
ASSAM.

3: THE CIRCLE OFFICER

AZARA REVENUE CIRCLE
DIST.- KAMRUP(M)
ASSAM.

4:KAMINI RONGPI
SON OF LATE CHNADRA MIKIR @ CHANDRADHAR RONGPE @ RONGPI
R/O. MIKIRPARA CHAKARDOI
P.S. AZARA
GUWAHATI-781017
DIST. KAMRUP(M)
ASSAM.

5:BABUL RONGPI
SON OF LATE KAMALESWAR RONGPI AND GRAND SON OF LATE
CHANDRA MIKIR @ CHANDRADHAR RONGPE @ RONGPI
R/O. MIKIRPARA CHAKARDOI
P.S. AZARA
GUWAHATI-781017
DIST. KAMRUP(M)
ASSAM.

6:RAKEN RONGPI
SON OF LATE DHIREN RONGPI AND GRAND SON OF LATE CHANDRA
MIKIR @ CHANDRADHAR RONGPE @ RONGPI
R/O. MIKIRPARA CHAKARDOI
P.S. AZARA
GUWAHATI-781017
DIST. KAMRUP(M)
ASSAM.

Advocate for : MR. R SARMA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 07-05-2026

Heard Mr. R. Sarma, learned counsel for the petitioner. Also heard
Ms. G. Hazarika, learned Standing Counsel, Revenue Department for the

respondent No. 1 and Mr. S. S. Roy, learned State Counsel for the respondent Nos. 2 & 3.

2. By filing the present writ petition, the petitioners have prayed for a direction to the Deputy Commissioner, Kamrup (Metro), Guwahati, to strike off the name of Chandra Dhar Rongpe from Khatian No. 29, in the land records pertaining to land measuring 1 Bigha 4 Katha 8 Lechas, covered by Dag Nos. 540 of Kheraj Myadi Patta No. 349, situated at Revenue Village Mikirpara Chakardoi, Mouza-Ramcharani, Kamrup (Metro).

3. The case of the petitioners, in brief, is that they are the sons of late Bipin Baruah @ Bipin Chandra Baruah and are the pattadars in possession of land measuring 1 Bigha 4 Katha 8 Lechas, covered by Dag Nos. 540 of Kheraj Myadi Patta No. 349, situated at Revenue Village Mikirpara Chakardoi, Mouza-Ramcharani, Kamrup (Metro), bounded by the land of Railway line on the north, Mohi Ram Ingti on the south, Mohi Ram Ingti on the east and Public Kali Mandir on the west. The competent authorities have duly reflected the name of late Bipin Chandra Baruah in the revenue records in respect of the land in question and subsequently mutation has been effected in favour of the petitioners. A portion of the land measuring 4 (four) Katha 2 (two) Lechas was acquired for construction of broad-gauge railway line under Land Acquisition Case No. 4/91, for which compensation has already been paid and the petitioners are in possession of the remaining land measuring 1 (one) Bigha 4 (four) Katha 8 (eight) Lechas.

4. It is the contention of the petitioners that Shri Chandra Dhar Rongpe was never an occupancy tenant in respect of the land in question at any point of time under late Bipin Chandra Baruah. It is contented that

upon verification of revenue records, the petitioners came to learn that Khatian No. 29 has been erroneously prepared showing the name of Chandra Dhar Rongpe as a recorded tenant in respect of the land covered by Dag No. 540 of Kheraj Myadi Patta No. 349, wherein late Bipin Chandra Baruah is recorded as the pattadar. It is further contended that the said entry is wholly incorrect and without any basis inasmuch as the said Chandra Dhar Rongpe had no right, title, interest or possession over the land in question at any point of time.

5. The respondent Nos. 4, 5 and 6, who are the descendants of Chandra Dhar Rongpe @ Rongpi, submitted an application dated 04.09.2018 before the Deputy Commissioner, Kamrup (Metro), seeking deletion of the name of Chandra Dhar Rongpe from Khatian No. 29 in respect of the land in question. It is stated that thereafter the petitioners along with the said private respondents jointly approached the Deputy Commissioner, Kamrup (Metro), on several occasions requesting for correction of the said entry, however, no action has been taken till date.

6. Mr. R. Sarma, learned counsel for the petitioners, submits that the land in question is agricultural land and that the petitioners are in possession and cultivation of the same. It is submitted that late Chandra Dhar Rongpe neither possessed nor cultivated the land in question at any point of time. It is further submitted that the petitioners, along with respondent Nos. 4, 5 and 6, have approached the Deputy Commissioner seeking deletion of the name of Chandra Dhar Rongpe from Khatian No. 29, as the said entry was wrongly recorded in the land records. Therefore, it is prayed that the Deputy Commissioner, Kamrup (Metro), may be directed to strike off the name of Chandra Dhar Rongpe from Khatian No.

29 in accordance with the applicable rules.

7. Mr. S. S. Roy, learned State Counsel, submits that the matter relates to correction of entries in the revenue records and that the same falls within the domain of the competent revenue authority. It is submitted that appropriate decision is to be taken by the Deputy Commissioner, Kamrup (Metro), in accordance with law upon examination of the relevant records. It is further submitted that if the claim of the petitioners regarding the erroneous recording of the name of Chandra Dhar Rongpe @ Rongpi in Khatian No. 29 is found to be correct, the said entry would require correction in accordance with law.

8. Respondent Nos. 4, 5 and 6 have also filed an affidavit categorically stating that their father/grandfather, late Chandra Dhar Rongpe, was never a Khatian holder during his lifetime and was never a tenant in respect of the land in question. It is stated that they have no objection to the deletion or correction of Khatian No. 29 by striking off the name of Chandra Dhar Rongpe from the land records, notwithstanding the execution of the registered deed of relinquishment dated 28.09.2018. It is further stated that they have already submitted an application dated 04.09.2018 before the Deputy Commissioner, Kamrup (Metro), seeking deletion of the name of Chandra Dhar Rongpe from Khatian No. 29 in respect of the land in question.

9. I have heard the submissions advanced by the learned counsel appearing for the parties and have also perused the materials available on record.

10. Upon consideration of the matter in its entirety, it appears that the

name of late Chandra Dhar Rongpe has been recorded in Khatian No. 29 in respect of the land in question. The materials on record reveal that a registered deed of relinquishment bearing No. 11434/2018 dated 28.09.2018 was executed between the parties concerned in respect of the said land. It further appears that the petitioners as well as respondent Nos. 4, 5 and 6, being the descendants/legal heirs of late Chandra Dhar Rongpe @ Rongpi, have approached the Deputy Commissioner, Kamrup (Metro), seeking deletion of the name of late Chandra Dhar Rongpe @ Rongpi from the said Khatian on the ground that he was never a tenant in respect of the land in question. Under such circumstances, the respondent Deputy Commissioner, Kamrup (Metro), would be required to consider the case of the petitioners in accordance with law.

11. Considering the above, it would be appropriate for this Court to direct the Deputy Commissioner, Kamrup (Metro), Guwahati, to consider the case of the petitioners for striking out the name of Chandra Dhar Rongpe from Khatian No. 29 in respect of the land measuring 1 (one) Bigha 4 (four) Katha 8 (eight) Lechas covered by Dag No. 540 of Kheraj Myadi Patta No. 349 of Revenue Village Mikirpara Chakardoi, Mouza Ramcharani, District Kamrup (Metro), Assam, in accordance with applicable Rules.

12. Accordingly, it is directed that the Deputy Commissioner, Kamrup (Metro), shall consider the case of the petitioners in accordance with the applicable rules for striking off the name of Chandra Dhar Rongpe from the land records in respect of the aforesaid land.

13. The petitioners are directed to file a fresh application before the Deputy Commissioner, Kamrup (Metro), for striking off of the name of

Chandra Dhar Rongpe from Khatian No. 29 within a period of 20 (twenty) days from today. Upon receipt of such application, the Deputy Commissioner, Kamrup (Metro), shall consider and dispose of the same within a period of 4 (four) months from the date of receipt of the application.

14. The writ petition stands disposed of, in terms above.

JUDGE

Comparing Assistant