

GAHC010074682018



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

Case No. : Cont.Cas(C)/157/2018

MONJULA MAHANTA AND 4 ORS.
W/O. LT. PRABHAT CHANDRA MAHANTA, R/O. SANKARPUR,
HENGRABARI ROAD, GANESHGURI, GHY., DIST. KAMRUP (M), ASSAM

2: SMT. ANITA MAHANTA

DAUGHTER IN LAW OF LT. PRABHATR CHANDRA MAHANTA
(W/O. LT. NRIPEN MAHANTA
WHO WAS THE S/O. LT. PRABHAT CHANDRA MAHANTA)
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

3: SMT. RITA PEGU (MAHANTA)

D/O. LT. PRABHAT CHANDRA MAHANTA
AT PRESENT W/O. SRI JYOTI PRAKASH PEGU
R/O. NARAKASUR
KAHILIPARA
GUWAHATI
DIST. KAMRUP (M). ASSAM

4: SMT. PRITI MAHANTA KALITA

D/O. LT. PRABHAT CHANDRA MAHANTA
W/O. DR. JOGEN CHANDRA KALITA
R/O. JALUKBARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

5: DIPAK MAHANTA

S/O. LT. PRABHAT CHANDRA CHANDRA MAHANTA
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GHY.
DIST. KAMRUP (M)
ASSAM

VERSUS

RAJESH PRASAD AND ORS.
THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
REVENUE DEPTT., DISPUR, GHY.

2:VIRENDRA MITTAL
DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI

3:NABADIP PATHAK
THE ADDL. DY. COMMISSIONER
REVENUE
KAMRUP (M)
GUWAHATI

4:AJIT KUMAR KAKATI
CHIEF ENGINEER
P.W.D. (ROADS) ASSAM
CHANDMARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

5:BHUPEN SARMA

EXECUTIVE ENGINEER
P.W.D. (ROADS)
ASSAM
CHANDMARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

6:SRI GYANENDRA DEV TRIPATHI
PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.

DISPUR
GHY.-781006

7:SRI SUMIT SATTAWAN
DEPUTY COMMISSIONER
KAMRUP (M)
HENGRABARI
GUWAHTI-781036
ASSAM

8:SRI SANJIB DALAI
THE ADDL. DY. COMMISSIONER
REVENUE
KAMRUP (M)
GUWAHATI-781001
ASSAM

9:SRI SANJIB SHAM
CHIEF ENGINEER
P.W.D. (ROADS) ASSAM
CHANDMARI
GUWAHATI-781003
DIST. KAMRUP (M)
ASSAM

10:SRI MUNINDRA CHANDRA DEKA
EXECUTIVE ENGINEER
P.W.D(ROADS)
ASSAM
CHANDMARI

GUWAHATI-78100

Advocate for the Petitioner : MR. R C SAIKIA, MS. K SAIKIA,MS. J TAMULI

Advocate for the Respondent : MS M HAZARIKA(R2), MS M HAZARIKA (R3),MS. S KHOUND (R3),MS. S KHOUND(R2),MR. D SAIKIA (R1),MR P NAYAK (R1),MR. R BORPUJARI (R1),MS. N BORDOLOI (R1),MR. B GOGOI (R1)

Linked Case : I.A.(Civil)/1434/2024

SMT. ANITA MAHANTA
AND 3 ORS

DAUGHTER IN LAW OF LT. PRABHATR CHANDRA MAHANTA
(W/O. LT. NRIPEN MAHANTA
WHO WAS THE S/O. LT. PRABHAT CHANDRA MAHANTA)
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

2: SMT. RITA PEGU (MAHANTA)

D/O. LT. PRABHAT CHANDRA MAHANTA
AT PRESENT W/O. SRI JYOTI PRAKASH PEGU
R/O. NARAKASUR
KAHILIPARA
GUWAHATI
DIST. KAMRUP (M). ASSAM

3: SMT. PRITI MAHANTA KALITA

D/O. LT. PRABHAT CHANDRA MAHANTA
W/O. DR. JOGEN CHANDRA KALITA
R/O. JALUKBARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

4: DIPAK MAHANTA

S/O. LT. PRABHAT CHANDRA CHANDRA MAHANTA
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GHY.
DIST. KAMRUP (M)
ASSAM.
VERSUS

RAJESH PRASAD AND 9 ORS.
THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GHY.

2: VIRENDRA MITTAL
DEPUTY COMMISSIONER
KAMRUP (M)

GUWAHATI

3:NABADIP PATHAK
THE ADDL. DY. COMMISSIONER
REVENUE
KAMRUP (M)
GUWAHATI

4:AJIT KUMAR KAKATI
CHIEF ENGINEER
P.W.D. (ROADS) ASSAM
CHANDMARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

5:BHUPEN SARMA

EXECUTIVE ENGINEER
P.W.D. (ROADS)
ASSAM
CHANDMARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

6:SRI GYANANDRA DEV TRIPATHI

THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GHY-781006
ASSAM

7:SRI SUMIT SATTAWAN

DEPUTY COMMISSIONER
KAMRUP (M)
HENGRABARI
GUWAHATI-36
ASSAM

8:SRI SANJIB DALAI
THE ADDITIONAL DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI-781001
ASSAM

9:SRI SANJIB SHAM

CHIEF ENGINEER
P.W.D. (ROADS) ASSAM
CHANDMARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

10:SRI MUNINDRA CHANDRA DEKA

EXECUTIVE ENGINEER
P.W.D. (ROADS) ASSAM
CHANDMARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

Advocate for : MR. R C SAIKIA
Advocate for : appearing for RAJESH PRASAD AND 9 ORS.

Linked Case : I.A.(Civil)/2259/2019

MONJULA MAHANTA AND 4 ORS.
W/O LATE PRABHAT CHANDRA MAHANTA
R/O SANKARPUR
HENGRABRI ROAD
GANESHGURI
GUWAHATI 781006
DIST. KAMRUP (M)
ASSAM.

2: ANITA MAHANTA
DAUGHTER IN LAW OF LATE PRABHAT CHANDRA MAHANTA
R/O NARAKASUR
KAHILIPARA
GUWAHATI 781009
DIST. KAMRUP (M)
ASSAM.

3: RITA PEGU(MAHANTA)
D/O LATE PRABHAT CHANDRA MAHANTA AT PRESENT W/O SHRI JYOTI
PRASAD PEGU
R/O NARAKASUR
KAHILIPARA
GUWAHATI 781009

DIST. KAMRUP (M)
ASSAM.

4: SMTI PRITI MAHANTA KALITA
D/O LATE PRABHAT CHANDRA MAHANTA
W/O DR. JOGEN CHANDRA MAHANTA
R/O SANKAR PATH
HENGRABARI ROAD
GANESHGURI
GUWAHATI 781006
DIST. KAMRUP (M)
ASSAM.

5: DIPAK MAHANTA
S/O LATE PRABHAT CH. MAHANTA
R/O SANKAR PATH
HENGRABARI ROAD
GANESHGURI
GUWAHATI 781006
DIST. KAMRUP (M)
ASSAM.
VERSUS

RAJESH PRASAD AND 4 ORS.
COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GUWAHATI-6

2: VIRENDRA MITTAL
DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI-1

3: NABADIP PATHAK
ADDITIONAL DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI 781001

4: AJIT KUMAR KAKATI
CHIEF ENGINEER
P.W.D. (ROAD
CITY DIVISION-1
CHANDMARI
GUWAHATI 03
DIST. KAMRUP (M)
ASSAM.

5: BHUPEN SAMRA
EXECUTIVE ENGINEER P.W.D. (ROADS)
CHANDMARI
GUWAHATI-3
DIST. KAMRUP (M)
ASSAM.

Advocate for : MR. R C SAIKIA
Advocate for : appearing for RAJESH PRASAD AND 4 ORS.

Linked Case : I.A.(Civil)/84/2019

SMTI. MONJULA MAHANTA AND 4 ORS.
W/O. LT. PRABHAT CHANDRA MAHANTA
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GHY.
DIST. KAMRUP (M)
ASSAM

2: SMT. ANITA MAHANTA

DAUGHTER IN LAW OF LT. PRABHAT CHANDRA MAHANTA
(W/O. LT. NRIPEN MAHANTA
WHO WAS THE S/O. LT. PRABHAT CHANDRA MAHANTA)
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

3: SMT. RITA PEGU (MAHANTA)

D/O. LT. PRABHAT CHANDRA MAHANTA
AT PRESENT W/O. SRI JYOTI PRAKASH PEGU
R/O. NARAKASUR
KAHILIPARA
GUWAHATI
DIST. KAMRUP (M). ASSAM

4: SMT. PRITI MAHANTA KALITA

D/O. LT. PRABHAT CHANDRA MAHANTA
W/O. DR. JOGEN CHANDRA KALITA

R/O. JALUKBARI
GUWAHATI
DIST. KAMRUP (M)
ASSAM

5: DIPAK MAHANTA

S/O. LT. PRABHAT CHANDRA CHANDRA MAHANTA
R/O. SANKARPUR
HENGRABARI ROAD
GANESHGURI
GHY.
DIST. KAMRUP (M)
ASSAM.
VERSUS

RAJESH PRASAD AND 4 ORS.
HE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GHY.

2:VIRENDRA MITTAL
DEPUTY COMMISSIONER
KAMRUP (M)
GUWAHATI

3:NABADIP PATHAK
THE ADDL. DY. COMMISSIONER
KAMRUP (M)
GUWAHATI- 781001

4:SRI HIRANMOY SEN
THE CHIEF ENGINEER
PWD (ROADS)
ASSAM
CHANDMARI
GUWAHATI- 781003
DIST.- KAMRUP (M)
ASSAM

5:SRI MRINMOY BARUAH
THE EXECUTIVE ENGINEER
PWD (ROADS)
ASSAM
CHANDMARI
GUWAHATI- 781003
DIST.- KAMRUP (M)

ASSAM

Advocate for : MR. R C SAIKIA
Advocate for : appearing for RAJESH PRASAD AND 4 ORS.

B E F O R E
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

09.06.2025

Mr. R.C. Saikia, learned Senior Counsel assisted by Ms. K. Saikia, learned counsel for the petitioners assures that steps as regard service of notice upon the newly impleaded respondent as directed earlier shall be positively taken within a period of three days from today.

In view of the aforesaid assurance, re-list the matter after three weeks on a date to be fixed by the Registry.

JUDGE

Comparing Assistant