

GAHC010074682018



undefined

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. 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 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), MR. D NATH (R-7),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)

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 17.02.2026

1. Heard Mr. R.C. Saikia, learned counsel for the petitioners.
2. This contempt petition is filed alleging willful and deliberate violation of order dated 21.09.2017, passed in WP(C)

No.5522/2015.

3. By the aforesaid order, the respondent authorities were directed to release the due and legitimate amount as per the award of the learned Reference Court dated 07.12.2001, passed in Ref Case No.160/1992, within a period of six weeks from the date of receipt of a certified copy of the order.

4. It is on record, that the District Collector has already assessed and calculated the amount in reference to the aforesaid award to the tune of Rs.10,98,555. Accordingly, by a communication dated 31.08.2024, the petitioners have been asked to furnish the death certificate of the original land owner, next of kin certificate, legal heir certificate in respect of the legal heirs of the deceased land owner, bank account number of the legal heirs, letter of NOC to make the payment.

5. It is submitted by Mr. Saikia, learned senior counsel that the said amount is wrongly calculated and therefore, the petitioners are not inclined to accept such amount, however, he further submits that the petitioners are willing to furnish all the aforesaid information and accept the amount under protest inasmuch as, it is the case of the petitioners that the aforesaid amount determined is not as per the award of the referral court.

6. Mr. D Nath, learned senior Government Advocate shall furnish a copy of the calculation made by the committee to the learned counsel for the petitioners.

7. Accordingly it is provided that the petitioners shall be at liberty to submit the documents before the authorities to enable

them to release the amount already determined amount, subject to further deliberation in this matter.

8. List again on 24.04.2026.

JUDGE

Comparing Assistant