

GAHC010076642024



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

**Case No. : WP(C)/2268/2024**

SABUR UDDIN AHMED AND 58 ORS.  
SON OF LATE MONSER ALI, RESIDENT OF VILLAGE TOPAR PATHER, PO-  
TOPAR PATHER,  
P.S. CHHAYGAON,  
DIST. KAMRUP, ASSAM.  
PIN-781137.

2: CHAHAB ALI AHMED  
SON OF ELAHI BAKSH  
RESIDENT OF VILLAGE TOPAR PATHER  
PO- TOPAR PATHER

P.S. CHHAYGAON

DIST. KAMRUP  
ASSAM.  
PIN-781137.

3: SHAHIDUL ISLAM  
S/O- ABDUL HAMID  
RESIDENT OF VILLAGE TOPAR PATHER  
PO- TOPAR PATHER

P.S. CHHAYGAON

DIST. KAMRUP  
ASSAM.  
PIN-781137.

4: ROFIQUL ISLAM  
S/O- LATE NAYAN UDDIN

5: ROFIQUL ISLAM  
S/O- KURPAN ALI

- 6: ISAR UDDIN  
S/O- JOYNUDDIN
- 7: SHAHAB UDDIN  
S/O- MOHAR ALI
- 8: SHAMSUL HOQUE  
S/O- MOHAR ALI
- 9: ABDUL MATIN  
S/O- MUHUR UDDIN
- 10: AJMAL HOQUE  
S/O- HABIBUR RAHMAN
- 11: MOYNAL HOQUE  
S/O- SAYED ALI
- 12: SHUKUR ALI  
S/O- SAID ALI
- 13: BAHADUR ALI  
S/O- KURPAN ALI
- 14: SHOMEJ UDDIN  
S/O- BASER UDDIN
- 15: SADEK ALI  
S/O- KHOBIR UDDIN
- 16: AKBAR ALI  
S/O- ALAUDDIN
- 17: TARIK UDDIN  
S/O- YEAD ALI
- 18: BUDDUSH ALI  
S/O- KOBIR UDDIN
- 19: WAZ UDDIN AHMED  
S/O- HAZRAT ALI
- 20: AKKAS ALI  
S/O- BASER ALI
- 21: ABDUL MANNAN

S/O- ABDUL MALEK

22: FAKAR UDDIN  
S/O- NIYAMAT ALI

23: MAHIR UDDIN  
S/O- REKAT ALI

24: MAHAR ALI  
S/O- MAHABBAT ALI

25: IBRAHIM KHALIL  
S/O- HUSSAIN ALI

26: DELUWAR HUSSAIN  
S/O- ABDUL HAMID

27: JAHANGIR ALOM  
S/O- ABDUS SALAM

28: ABDUL MAJID  
S/O- RAHMAT ALI

29: SARBAT ALI  
S/O- KHOBIRUDDIN

30: MOYNAL HOQUE  
S/O- ISMAIL ALI

31: MOHIDUL HOQUE  
S/O- MOHAR ALI

32: ROFIQUL ISLAM  
S/O- ABDUR RAHIM MULLA

33: NAZRUL ISLAM  
S/O- ASRAF ALI

34: CHAND MAHMUD  
S/O- NORIMUDDIN

35: FAZAL HOQUE  
S/O- USUP ALI

36: LATIP KHAN  
S/O- CHOYED ALI

37: NASIRUDDIN  
S/O- CHOYED ALI

38: KASHEM ALI  
S/O- KHODA BOX

39: NURUL ISLAM  
S/O- CHOYED ALI

40: ZAKIR HUSSAIN  
S/O- KORIM ALI MULLAH

41: ASRAB ALI  
S/O- KHUDA BOX

42: ROBIUL HUSSAIN  
S/O- SHUKUR ALI

43: NURUJ JAMAN AHMED  
S/O- ABDUL WAHAB

ALL ARE RESIDENT OF VILLAGE TOPAR PATHER  
PO- TOPAR PATHER

P.S. CHHAYGAON

DIST. KAMRUP  
ASSAM.  
PIN-781137.

44: ALI AKBAR  
S/O- ABDUL ADID

R/O- VILLAGE BAGHMARA

PO- TOPAR PATHER

P.S. CHHAYGAON

DIST. KAMRUP  
ASSAM.  
PIN- 781137.

45: REFAZ ALI  
SON OF LATE MOHAMMAD ALI

46: MOHAMMAD ALI  
S/O- WAZED ALI

47: AKKES KHAN  
S/O- FAZIL KHAN

ALL ARE THE RESIDENT OF VILLAGE BAR ARIKATI  
PS- BOKO  
DIST- KAMRUP  
ASSAM. PIN-781136.

48: SADDAM HUSSAIN  
SON OF ABUL WAHAB

49: MOYNUL HOQUE  
SON OF KOLIM UDDIN

50: NURRUL HOQUE CHOUDHURY  
SON OF AMZAD ALI

51: AMZAD ALI  
SON OF MONURUDDIN

52: WAHED ALI  
SON OF MUNNAF ALI

53: SHORBAT ALI  
SON OF HAZARAT ALI

54: BUDDUS ALI  
SON OF AKBAR ALI

55: SHEIKH SADULLAH  
SON OF SORHAB ALI

56: MAYJUDDIN AHMED  
SON OF FOYJUDDIN AHMED

ALL ARE RESIDENT OF VILLAGE KACHIA  
DIYA PATHER  
PO- TOPAR PATHER

P.S. CHHAYGAON

DIST. KAMRUP  
ASSAM.  
PIN-781137.

57: JAHIDUL ISLAM  
SON OF MD. SAKET ALI

58: MD. BURHAN ALI  
SON OF LATE AMSER ALI

59: MD. FARMAN ALI  
SON OF LATE AMSER ALI  
ALL ARE PRESENTLY RESIDING AT VILLAGE BARDIA NAYAPARA

PO- MAHTOLI  
PS- BOKO

DIST- KAMRUP  
ASSAM

VERSUS

THE STATE OF ASSAM AND 12 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, GEOLOGY, MINES AND MINERALS  
DEPARTMENT, KAHILIPARA, GUWAHATI-19.

2:THE DIRECTOR  
DIRECTORATE OF GEOLOGY AND MINING DEPARTMENT  
ASSAM  
KAHILIPARA  
GUWAHATI-19.

3:THE DIVISIONAL FOREST OFFICER  
KAMRUP WEST DIVISION  
BAMUNIGAON.  
PS- CHHAYGAON.  
DIST. KAMRUP  
ASSAM.  
PIN-781123.

4:THE DEPUTY COMMISSIONER  
KAMRUP AT AMINGAON

PO AND PS- AMINGAON

DIST- KAMRUP  
ASSAM.  
PIN-781031.

5:THE EXECUTIVE ENGINEER

WATER RESOURCE DEPARTMENT (WEST DIV.) BHARALUMUKH  
GUWAHATI-09.

6:THE CIRCLE OFFICER  
GOROIMARI REVENUE CIRCLE  
P.O- TUKRAPARA

PS- CHHAYGAON

DIST- KAMRUP  
ASSAM.  
PIN- 781137.

7:THE CIRCLE OFFICER  
CHAMARIA REVENUE CIRCLE  
PS- BOKO

DIST- KAMRUP  
ASSAM.  
PIN-781136.

8:THE SUPERINTENDENT OF POLICE  
KAMRUP AT AMINGAON  
GUWAHATI-31.

9:M/S B. N. ENTERPRISE  
REPRESENTED BY ITS PROPRIETOR NAMELY SRI BRAJA KISHORE  
SARMA  
R/O- WARD NO. 25  
ARUNODOI PATH  
PO- HENGRABARI  
PS- DISPUR  
DIST- KAMRUP (M)  
ASSAM.PIN-781036.

10:SULEIMAN ALI @ SOLEMAN  
SON OF ALAM CHAND

11:ABUL KALAM AZAD

SON OF LATE HAMED ALI

BOTH ARE RESIDENT OF TOPAR PATHER. PO- TOPAR PATHER  
PS- CHHAYGAON

DIST- KAMRUP  
ASSAM.  
PIN- 781137.

12:AKABBAR ALI

SON OF LATE INNUS ALI

RESIDENT OF SARALAR SUTI

PO- TOPAR PATHER PS- CHHAYGAON  
DIST- KAMRUP  
ASSAM.PIN-781137.

13:SABED ALI

SON OF MAHIRUDDIN

VILL- LATARIA BILORJAN (BARGHUL)

PO- MAHTOLI  
PS- BOKO

DIST- KAMRUP  
ASSAM  
PIN-781136

**Advocate for the Petitioner** : MR. P J SAIKIA, SR. ADV

**Advocate for the Respondent** : GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**Date : 12.06.2024**

At the request of Mr.Y. Ali, learned counsel for the petitioner, matter stands adjourned for 2 (two) weeks.

Interim order, passed earlier, will continue.

**JUDGE**

**Comparing Assistant**