

GAHC010080502024



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

Case No. : WP(C)/2167/2024

ANOWAR HUSSAIN AND 2 ORS
SON OF SHAHADAT ALI, RESIDENT OF VILLAGE DINGDINGA, POST
OFFICE- CHIRAKUTI, POLICE STATION- CHIRAKUTI, DISTRICT- DHUBRI,
ASSAM, PIN- 783330

2: FULVANU KHATUN
DAUGHTER OF ABUL HUSSAIN
RESIDENT OF VILLAGE- BHALUKMARI
POST OFFICE- JALESWARI
POLICE STATION- LAKHIPUR
DISTRICT- GOALPARA
ASSAM
PIN- 783330

3: AYNAL HOQUE
SON OF MOYAN UDDIN
RESIDENT OF VILLAGE- DURAMARI
POST OFFICE- MEDORTARY
POLICE STATION- SOUTH SALMARA
DISTRICT- KAMRUP (M)
ASSAM
PIN- 78333

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, DEPARTMENT OF ELEMENTARY EDUCATION,
DISPUR, GUWAHATI- 781006

2: THE DIRECTOR OF ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI- 781019

3:THE STATE LEVEL SCRUTINY COMMITTEE
KAHILIPARA
GUWAHATI
DISTRICT- KAMRUP (M)
ASSAM
PIN- 781019

4:THE DISTRICT LEVEL SCRUTINY COMMITTEE
DHUBRI
DISTRICT- DHUBRI
REPRESENTED BY THE DEPUTY COMMISSIONER
DHUBRI (CHAIRMAN) OF THE DISTRICT LEVEL SCRUTINY COMMITTEE
DHUBRI PIN- 783330

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DHUBRI
PIN- 783330

6:THE DEPUTY COMMISSIONER
DHUBRI
PIN- 783330

7:THE HEADMASTER
SHILTOKA GIRLS ME MADRASSA
PIN- 783330
MOBARAQUE HUSSAIN

SON OF HAKIM UDDIN

VILLAGE DINDINGA (SHILTOKA)

PO- CHIRAKUTI

PS- SOUTH SALMARA

DISTRICT- DHUBRI
ASSAM

PIN- 783330

Advocate for the Petitioner : MS. K JAIN, MS. U NANDA

Advocate for the Respondent : SC, ELEM. EDU, GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 10.08.2026

Heard Ms. K. Jain, learned counsel for the petitioners, who submits that an additional affidavit has been filed bringing on record the fact that the land in question had already been gifted, on which the school in question is presently functioning.

Mr. P. N. Sarma, learned Standing Counsel, Elementary Education Department, and Ms. S. Konwar, learned State Counsel, for the respondents, submit that since the dispute pertains to the mutation of the land, which, as claimed by the petitioners, was mutated in the year 2022 only, the said fact is required to be brought on record by way of an affidavit and therefore, pray for some time to file the affidavit.

Prayer is allowed.

Accordingly, let this matter be listed after 3 (three) weeks for filing affidavit-in-opposition on behalf of the State respondents.

JUDGE

Comparing Assistant