

GAHC010084632026



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

**Case No. : WP(C)/2419/2026**

MD KHOIBAR UDDIN AHMED AND 8 ORS  
SON OF AHINA, RESIDENT OF VILL- PACHANIAPARA, PO- BONGARA, PS-  
AZARA, DIST- KAMRUP METRO, ASSAM

2: KHARUJUDDIN AHMED  
SON OF KETEG  
RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM.

3: RAHMAN ALI  
SON OF AHINA RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM

4: LATIF ALI  
SON OF AHINA RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM

5: LALCHAN ALI  
SON OF AHINA  
RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM

6: RUPCHAN ALI  
SON OF SAFAT ALI  
RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM

7: CHAUKAT ALI  
SON OF BHANDALU SHEIKH  
RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM

8: ALIMUDDIN AHMED  
SON OF KACHARI  
RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSAM

9: RUMIYA BEGUM  
WIFE OF ZAKIR HUSSAIN  
RESIDENT OF VILL- PACHANIAPARA  
PO- BONGARA  
PS- AZARA  
DIST- KAMRUP METRO  
ASSA

VERSUS

THE STATE OF ASSAM and othrs  
TO BE REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT  
OF ASSAM, DISPUR, GUWAHATI-06

2: THE COMMISSIONER AND SECRETARY  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT  
DISPUR  
GUWAHATI 781006

3: THE DISTRICT COMMISSIONER  
KAMRUP METRO  
HENGARABARI  
GUWAHATI  
KAMRUP METRO

ASSAM-781036

4:THE CO DISTRICT COMMISSIONER  
KAMRUP (M)  
JALUKBARI  
GUWAHATI-781013

5:THE DEPUTY COMMISSIONER OF POLICE  
WEST POLICE DISTRICT  
GUWAHATI  
GOPINATH BORDOLOI NAGAR  
JALUKBARI  
781013

6:THE COMMISSIONER AND SECRETARY  
TO THE GOVERNMENT OF ASSAM  
HEALTH AND FAMILY WELFARE DEPARTMENT  
DISPUR  
GUWAHATI-781006

7:THE JOINT DIRECTOR  
HEALTH SERVICES  
KAMRUP METRO  
MG ROAD  
UZANBAZAR  
GUWAHATI  
DIST- KAMRUP METRO  
ASSAM-781001

8:THE DISTRICT FOOD AND CIVIL SUPPLIES OFFICER  
KAMRUP METRO  
OFFICE OF THE DISTRICT COMMISSIONER SUPPLY  
KAMRUP METRO  
HENGRABARI  
GUWAHATI  
ASSAM-781036

9:THE EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGINEERING  
GUWAHATI DIVISION  
DIST- KAMRUP METRO  
ASSAM

10:THE CIRCLE OFFICER  
AZARA REVENUE CIRCLE  
KAMRUP METRO DISTRICT  
ASSAM 781017

11:THE OFFICER IN CHARGE  
AZARA POLICE STATION  
DIST- KAMRUP M  
ASSAM  
PIN-781017

12:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
KAMRUP METRO  
CHATRIBARI  
GUWAHATI  
ASSAM-78100

**Advocate for the Petitioner** : MR S ABDULLAH, MR. A R BHUYAN

**Advocate for the Respondent** : GA, ASSAM, SC, ELEM. EDU,SC, P H E,SC. REVENUE,SC,  
HEALTH

**BEFORE  
HONOURABLE MR. JUSTICE KARDAK ETE**

**ORDER**

**Date : 08.05.2026**

Heard Mr. A. R. Bhuyan, learned Senior Counsel assisted by Mr. S. Abdullah, learned counsel for the petitioners.

This petition is filed challenging the demolition of the house structure of the petitioners carried out by the Revenue Authority, Azara, Kamrup (Metro), pursuant to eviction proceedings initiated in respect of the land occupied by the petitioners.

The petitioners claim to have purchased land located at Patta No. 32 of Village Pachaniapara under Dakhinrani Mouza in the District of Kamrup (Metro) and their names have been duly recorded in the Jamabandi and other relevant revenue records. Pursuant to the eviction notice dated 25.09.2025, the petitioners were directed to vacate the said land on the

ground that it falls within the South Kamrup Tribal Belt in terms of Notification dated 27.02.1950 and thereafter they were evicted from the said land.

The petitioners seek to challenge the Notification dated 27.02.1950, whereby the land on which they are residing has been declared to fall within the said Tribal Belt.

Issue notice, returnable by 4 (four) weeks.

As Mr. J. Handique, learned State Counsel appearing for respondent Nos. 1, 3, 4, 5, 8, 10 & 11; Mr. R. Borpujari, learned Standing Counsel for the Revenue Department appearing for respondent No. 2; Ms. S. Sarma, learned Standing Counsel, Health Department for respondent Nos. 6 & 7; Mr. R. R. Gogoi, learned Standing Counsel, PHE for respondent No. 9 and Mr. P. N. Sarma, learned Standing Counsel, Elementary Education for the respondent No. 12, have entered appearance and accepted notice on behalf of all the respondents, no formal notice is required to be issued. However, requisite extra copies of the writ petition along with the documents appended thereto be furnished to them during the course of the day.

List the matter **after 4 (four) weeks**.

Interim prayer shall be considered on the next returnable date.

**JUDGE**

**Comparing Assistant**