

GAHC010085852021



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

Case No. : WP(C)/3671/2021

MOCHMON UDDIN AND 7 ORS
S/O. LT. JUWAID ALI, R/O. VILL. LEVERPUTA PART-I, P.S. KATIGORAH, DIST.
CACHAR, ASSAM.

2: GHULAM MUSTAFA BARBHUIYA
S/O. LT. MUHIBUR RAJA
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM.

3: AJIR UDDIN BARBHUIYA
S/O. LT. ABDUS SAMAD
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM.

4: ALIM UDDIN
S/O. LT. MOINUL HOQUE
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM.

5: IKBAL AHMED BARBHUIYA
S/O. LT. ABDUS SUBHAN
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM.

6: TAJ UDDIN
S/O. LT. REKIB ALI

R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM.

7: ALTAF HUSSAIN
S/O. LT. ALA UDDIN
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM.

8: ABDUL BASIT
S/O. LT. NURUL ISLAM
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY ITS COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
LAND AND REVENUE DEPTT., DISPUR, GUWAHATI-06.

2: THE DEPUTY COMMISSIONER
CACHAR
SILCHAR
PIN-788001.

3: CIRCLE OFFICER

KATIGORAH REVENUE CIRCLE
KATIGORAH
DIST. CACHAR
ASSAM
PIN-788805.

4: INUS UDDIN
S/O. LT. MONTAJ ALI
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM
PIN-788805.

5: FIROJ ALI
S/O. LT. A CHOUDHURY

R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM
PIN-788805.

6: BABUL HUSSAIN

S/O. F. UDDIN
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM
PIN-788805.

7: RUKON UDDIN
S/O. LT. MOIN UDDIN CHOURHURY
R/O. VILL. LEVERPUTA PART-I
P.S. KATIGORAH
DIST. CACHAR
ASSAM
PIN-788805

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : GA, ASSAM

BEFORE
THE HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA
ORDER

13.08.2021

Heard Mr. SC Biswas, learned counsel for the petitioners.

The petitioners are before this court being aggrieved by the purported action of the respondents more specifically the respondent No. 3 inasmuch as notice dated 09.04.2021 was issued by the respondent No. 3 whereby it was informed to the petitioners that on 20.04.2021 necessary demarcation of MNP road of village Niz Leverputa part-I, Pargona-Leverputa covered under Dag No.

17,18,53,50,49,149,150,151,152,155,187,181,192 would be conducted. As submitted by Mr. Biswas, the said demarcation process was completed and admittedly some portions of the land of the petitioner are covered by said proposed road. The petitioners, as submitted by Mr. Biswas have no objection in the event the construction of the road is carried out subject to due process of law and duly compensated under the relevant law.

In view of the same, let notice be issued. Mr. R Borpujari, learned standing counsel for the Revenue Department accepts notice on behalf of respondent No.1. Mr. K Goswami, learned Additional Senior Government Advocate accepts notices on behalf of respondent Nos. 2 and 3. The petitioner shall take steps on the private respondents by way of registered post with A/D within a period of three days from today.

Notices are made returnable after four weeks.

Needless to say if there is any representation submitted by the petitioners before the Deputy Commissioner, Cachar at Silchar, the same shall be disposed of and the pendency of this writ petition shall not be a bar in disposing the said representation.

JUDGE

Comparing Assistant