

GAHC010086922026



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

Case No. : WP(C)/2429/2026

JAMAL UDDIN AND 61 ORS
C/O- FOIJUR ALIAS FAIJUR RAHMAN, VILL- PACHIM JAMUNA GAON,
DIST- HOJAI, ASSAM

2: HUSSAIN AHMED
C/O- YEASIN AHMED
VILL- 66 PACHIM JAMUNA ROAD
NEAR ASRAFIYA MASZID PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM.

3: KAMAR UDDIN
C/O- ALI RAJA
VILL- 044 UDMARI GAON ROAD
NEAR JAME MASJID UDMARI GAON
DIST- HOJAI
ASSAM

4: IZAZUR RAHMAN
C/O- LUTFUR RAHMAN
VILL- 40 UDMARI ROAD
DIST- HOJAI
ASSAM

5: NASIR UDDIN
C/O- ABDUL MANNAF
VILL- UDMARI
DIST- HOJAI
ASSAM

6: ANOWAR HUSSAIN
C/O- KOPIL UDDIN
VILL- 44 DOBOKA UDMARI ROAD
DIST- HOJAI

ASSAM.

7: JAMAL UDDIN
C/O- LATE ALA UDDIN
VILL- 87 UDMARI ROAD
DIST- HOJAI
ASSAM

8: NIMAR ALI
C/O- LATE KALA MIYAN
VILL- 21 UDMARI ROAD
DIST- HOJAI
ASSAM.

9: ASADDAR ALI
C/O- KHORACHED ALI
VILL- 45 DOBOKA UDMARI ROAD
DIST- HOJAI
ASSAM

10: AINUL HAQUE
C/O- ASAB UDDIN
VILL- UDMARI
DIST- HOJAI
ASSAM

11: KAMAL UDDIN
C/O- LATE ALA UDDIN
VILL- UDMARI
DIST- HOJAI
ASSAM

12: MOINUL HOQUE ALIAS HAQUE
C/O- FAJAR ALI
VILL- 90 UDMARI GAON ROAD
DIST- HOJAI
ASSAM

13: CHABIR UDDIN
C/O- ABDUL CHAMMAD
VILL- 79 DOBOKA UDMARI ROAD
DIST- HOJAI
ASSAM.

14: MD ALAUR ALIAS ALAUR RAHMAN
C/O- LATE ABDUR RAHMAN
VILL- UDMARI
DIST- HOJAI

ASSAM

15: RIAJUL HOQUE
C/O- FAJAR ALI
VILL- 90 UDMARI GAON ROAD
DIST- HOJAI
ASSAM

16: NAJIM UDDIN
C/O- ALI RAJA
VILL- 85 UDMARI GAON ROAD
DIST- HOJAI
ASSAM

17: SURMAN ALI
C/O- JAMIR UDDIN
VILL- 34 UDMARI ROAD
DIST- HOJAI
ASSAM

18: NASHIR UDDIN
C/O- KAMAR UDDIN
VILL- 044 UDMARI GAON ROAD
DIST- HOJAI
ASSAM

19: KHAIRUL HOQUE
C/O- FAJAR ALI
VILL- 90 UDMARI GAON ROAD
DIST- HOJAI
ASSAM.

20: SALIM UDDIN ALIAS CHELIM UDDIN LASKAR
C/O- KUTUB UDDIN
VILL- UDMARI
DIST- HOJAI
ASSAM

21: RUBUL AHMED ALIAS RUBUL UDDIN
C/O- AZIR ALIAS AJIR UDDIN
VILL- UTTAR NOWABEEL
DIST- HOJAI
ASSAM

22: SHARIF UDDIN
C/O- LATE ALA UDDIN
VILL- 08 UDMARI GAON ROAD
DIST- HOJAI

ASSAM

23: KABIR UDDIN
C/O- ABDUL MANNAN ALIAS MANNAF
VILL- GHANIARPAR
DIST- HOJAI
ASSAM

24: MINAJUL HOQUE
C/O-FAJAR ALIAS FAZAR ALI
VILL- 90 UDMARI GAON ROAD
DIST- HOJAI
ASSAM

25: AMINA BEGUM
C/O- ALI RAJA
VILL- 85 UDMARI GAON ROAD
DIST- HOJAI
ASSAM

26: HABIBUR RAHMAN LASKAR
C/O-AHMED ALI
VILL- UDMARI
DIST- HOJAI
ASSAM.

27: MARAHAM ALI
C/O- ABDUL BARI
VILL- 72 PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

28: ABDUL MATLIB
C/O- RAMICH UDDIN
VILL- PACHIM JAMUNA ROAD
DIST- HOJAI
ASSAM

29: LAL MIYAN
C/O- KURMAN ALI
VILL- 8 PUB JAMUNA ROAD
DIST- HOJAI
ASSAM.

30: ABU BAKKAR
C/O- NAJIR UDDIN
VILL- 74 PACHIM JAMUNA GAON
DIST- HOJAI

ASSAM

31: MOHAMMAD HASON AHMED
C/O- YASIN ALI
VILL- PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM.

32: SAYERA KHATUN
C/O- AZAB ALI
VILL- 102 PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

33: NURUL HAQUE
C/O- NIMAR ALI
VILL- 156 DOBOKA ROAD
DIST- HOJAI
ASSAM

34: HUSSAIN AHMED
C/O- LATE MAKBUL ALI
VILL- 172 DOBOKA ROAD
DIST- HOJAI
ASSAM

35: HABI RAHMAN
C/O- NIMAR ALI
VILL- 274
PART NO 108
PUB JAMUNA GAON
DIST- HOJAI
ASSAM

36: TAJ UDDIN
C/O- MAHMAD ALI
VILL- 65 PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

37: RASMINA BEGUM
C/O- JAHUR UDDIN
VILL- 117 PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

38: RAHMAN ALIAS REKHAMAN ALI
C/O-MOHAMMED NAJIR ALI ALIAS NAJIR UDDIN

VILL- 75 PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

39: SURAJ ALI
C/O- TACHADDAR ALI
VILL- PUB JAMUNA GAON
DIST- HOJAI
ASSAM

40: SABED ALI
C/O- NAJIR UDDIN
VILL- PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM

41: ALIM UDDIN
C/O- NOOR AHMED
VILL- 84 PUB JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

42: BATAI MIYA
C/O- MOIAR ALI
VILL- GHUNIARPAR
DIST- HOJAI
ASSAM.

43: JAMAL UDDIN
C/O- FOIJUR RAHMAN
VILL- PACHIM JAMUNA ROAD
DIST- HOJAI
ASSAM.

44: MASAID ALI
C/O- LATE NOOR ALI
VILL- PACHIM JAMUNA
DIST- HOJAI
ASSAM

45: FAJAR ALI
C/O- NAJIR UDDIN
VILL- PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

46: KHAIRUL ISLAM LASKAR
C/O- WAZID ALI LASKAR

VILL- 120 DOBOKA ROAD
DIST- HOJAI
ASSAM

47: SALIM UDDIN
C/O- FAIZUR RAHMAN
VILL- JAMUNA ROAD
DIST- HOJAI
ASSAM

48: DULAL AHMED
C/O- HAZRAT ALI
VILL- PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM

49: ABDUL KHALIK
C/O- MAKLIS ALI
VILL- PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM

50: KACHIM ALI LASKAR
C/O- WAZID ALI LASKAR
VILL- PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM

51: HABIBUR RAHMAN
C/O- MARAM ALI
VILL- 40 PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM

52: ASHIK ALIAS ASIK UDDIN
C/O- ABDUL KARIM
VILL- 31 AMBARI ROAD
DIST- HOJAI
ASSAM

53: MAHIBUR RAHMAN
C/O-LATE MATIUR RAHMAN
VILL- PACHIM JAMUNA GAON ROAD
DIST- HOJAI
ASSAM.

54: HUSSAIN AHMED
C/O- MAKBUL ALI

VILL- 172 DOBOKA ROAD
DIST- HOJAI
ASSAM

55: KUTUB UDDIN
C/O- ILIYAS ALI
VILL- 134 JAMUNA ROAD
DIST- HOJAI
ASSAM

56: IBRAHIM ALI
C/O- SAMIR UDDIN
VILL- UDMARI
DIST- HOJAI
ASSAM

57: HILAL AHMED
C/O- ABDUL AZIZ
VILL- 48 UDMARI ROAD
DIST- HOJAI
ASSAM

58: SHOROF UDDIN LASKAR
C/O- MAKADDAS ALI LASKAR
VILL- PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM

59: AKLAS UDDIN LASKAR
C/O- MAKADDAS ALI LASKAR
VILL- 122 PACHIM JAMUNA GAON
DIST- HOJAI
ASSAM

60: KAFIL UDDIN
C/O- LATU MIA ALIAS MIYA
VILL- PACHIM MOUDANGA KRISHIPAM
DIST- HOJAI
ASSAM

61: KURMAN ALI
C/O- LATE YAKUB ALI
VILL- PUB JAMUNA ROAD
DIST- HOJAI
ASSAM

62: MOFIK UDDIN
C/O- ASHARAF ALI

VILL- ROWARPAR
DIST- HOJAI
ASSAM

VERSUS

THE STATE OF ASSAM AND 13 ORS
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 SPECIAL CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
ENVIRONMENT AND FORESTS DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)
DISPUR
GUWAHATI- 781006.

4:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF
FOREST FORCE AND WILDLIFE
O/O THE PCCF HOFF
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI- 781037

5:THE PRINCIPAL SECRETARY
HEALTH AND FAMILY WELFARE
HENGARABARI
DISPUR
GUWAHATI-06

6:THE DISTRICT COMMISSIONER
HOJAI DISTRICT
ASSAM- 782442

7:THE JOINT DIRECTOR
HEALTH SERVICES
HOJAI
SRIMANTA SANKARDEV NAGAR
HOJAI
ASSAM-782442.

8:THE DISTRICT FOOD AND CIVIL SUPPLIES OFFICER
HOJAI DISTRICT

OFFICE OF THE DISTRICT COMMISSIONER (SUPPLY)
HOJAI
ASSAM
782442.

9:THE EXECUTIVE ENGINEER
PUBLIC HEALTH ENGINEERING
HOJAI DIVISION
DIST- HOJAI
ASSAM.

10:THE SUPERINTENDENT OF POLICE
HOJAI DISTRICT
ASSAM 782442

11:THE DIVISIONAL FOREST OFFICER
SOUTH NAGAON DIVISION
HOJAI
ASSAM.

12:THE CIRCLE OFFICER
DOBOKA REVENUE CIRCLE
HOJAI DISTRICT
ASSAM.

13:THE OFFICER IN CHARGE
MURAJHAR POLICE STATION
DIST- HOJAI
ASSAM

14:THE DISTRICT ELEMENTARY EDUCATION OFFICER
HOJAI DISTRICT
SRIMANTA SANKARDEV NAGAR
HOJAI
ASSAM-782442

Advocate for the Petitioner : MR. A R BHUYAN, MR N Z CHOUDHURY,S LASKAR

Advocate for the Respondent : GA, ASSAM, SC, REVENUE,SC, HEALTH,SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 08.05.2026

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

This petition is filed challenging the demolition of the house structures of the petitioners carried out by the Forest Authority, South Nagaon Division, Hojai, pursuant to eviction proceedings in respect of the land under their occupation.

It is the contention of the petitioners that they are in lawful possession of the land in question, which is neither forest land nor Government revenue land. The eviction of the petitioners, carried out by resorting to demolition of their house structures, is arbitrary and illegal, as no due procedure of law has been followed prior to such eviction.

Issue notice, returnable by 4 (four) weeks.

As Mr. J. Handique, learned State Counsel appearing for respondent Nos. 1, 4, 6, 8, 10, 12 & 13; Ms. G. Hazarika, learned Standing Counsel for the Revenue Department appearing for respondent No. 2; Mr. K. P. Pathak, learned Standing Counsel, Forest Department, for the respondent Nos. 3, 4 & 11; Ms. S. Sarma, learned Standing Counsel, Health Department for respondent Nos. 5, 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. 14, 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