

GAHC010103552023



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

Case No. : WP(C)/2739/2023

ABDUL AIJ AND 31 ORS
S/O - LATE SADAR UDDIN MUNSHI, VILLAGE - ALIMABAD (NO- 2 TULIP)
P.S - DHEKIAJULI, DIST- SONITPUR (ASSAM)

2: NAJRUL ISLAM

S/O - LATE SADAR UDDIN MUNSHI VILLAGE - ALIMABAD (NO- 2 TULIP)
P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

3: RAFIKUL ISLAM

S/O -LATE SADAR UDDIN MUNSHI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

4: SAIDUL ISLAM

S/O LATE- SADAR UDDIN MUNSHI VILLAGE - ALIMABAD (NO- 2 TULIP)
P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

5: ATAUR RAHMAN

S/O- LATE KHADEM ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

6: HATEM ALI

S/O- LATE USMAN ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

7: GOLAB HUSSAIN

S/O LATE- MOJIBUR RAHMAN
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

8: MAHAMMAD ALI

S/O- LATE NOJIBUR RAHMAN
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

9: ABDUL BAREK

S/O- LATE JOBED ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

10: JAHIRUL ISLAM

S/VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)O LATE ABDUL MALEK

11: KHAIRUL ISLAM

S/O- LATE ABDUL MALEK
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

12: HUSSAIN ALI

S/O LATE- JONAB ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

13: ABDUL CHALAM

S/O LATE JONAB ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

14: KACHEM ALI

S/O LATE- JONAB ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

15: ABDUL SATTAR

S/O LATE JONAB ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

16: ASIYA KHATUN
D/O LATE- ISMIL SEKH
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

17: DILDAR HUSSAIN

S/O- LATE UMAR ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

18: ABDUL HAQUE

S/O LATE MANSUR ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

19: ABDUL SALAM

S/O LATE ABDUL KHALEK CHOUDHURY VILLAGE - ALIMABAD (NO- 2
TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

20: ABDUL SATTAR

S/O LATE ABDUL KHALEK CHOUDHURY
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

21: ABDUL MATALIP

S/O- LATE ABDUL KHALEK CHOUDHURY
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

22: MABARAK CHOUDHURY

S/O -LATE ABDUL KHALEK CHOUDHURY
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

23: HAMIDUL ISLAM.

S/O LATE KISMAT ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI
DIST- SONITPUR (ASSAM)

24: ABDUL SUBAN

S/O- LATE NUR ALI
VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

25: SUMAS UDDIN

S/O LATE- NUR ALI

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

26: NUR HUSSAIN

S/O LATE SIBAR UDDIN

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

27: KAMAL UDDIN

S/O LATE GIAS UDDIN

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

28: AFTAR UDDIN

S/O- LATE GIAS UDDIN

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

29: BAHARUDDIN UDDIN

S/O LATE GIAS UDDIN

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

30: SAMAL UDDIN

S/O LATE GIAS UDDIN

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

31: KITAB ALI

S/O LATE AMIR FAKIR

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

32: NURUL AMIN

S/O LATE IMAN ALI MUNSHI

VILLAGE - ALIMABAD (NO- 2 TULIP) P.S - DHEKIAJULI

DIST- SONITPUR (ASSAM)

VERSUS

THE STATE OF ASSAM AND 3 ORS

REPRESENTED BY THE PRINCIPAL SECRETARY/SECRETARY LAND AND

REVENUE DEPARTMENT, DISPUR, GUWAHATI- 6

2:THE DEPUTY COMMISSIONER

LAND AND REVENUE BRANCH SONITPUR
ASSAM.

3:THE CIRCLE OFFICER
DHEKIAJULI
SONITPUR
ASSAM.

4:M/S- TULIP TEA ESTATE
THROUGH THE MANAGER OF THE TULIP TEA ESTATE
ALISINGA
DHEKIAJULI
SONITPUR
ASSAM

Advocate for the Petitioner : MR. R P SARMAH

Advocate for the Respondent : SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

19.05.2023

Heard Mr. R.P. Sarmah, learned senior counsel assisted by Mr. M. Rahman, learned counsel for the petitioners; Ms. N. Bordoloi, learned Standing Counsel, Revenue Department for the respondent no. 1; and Mr. R. Talukdar, learned Junior Government Advocate, Assam for the respondent nos. 2 & 3.

2. Aggrieved by non-issuance of pattas in favour of the petitioners, the petitioners have approached this Court by this writ petition seeking a direction to the respondent authorities to issue allotment certificates/pattas in their favour and for correction of revenue records including correction in the chithas.

3. Issue notice, returnable in 4 [four] weeks.
4. As Ms. Bordoloi has appeared and accepted notice on behalf of the respondent no. 1; and Mr. Talukdar has appeared and accepted notices on behalf of the respondent nos. 2 & 3, no formal notices are needed to be issued to the respondents. Mr. Rahman shall furnish requisite nos. of extra copies of the writ petition along with the annexures each, to Ms. Bordoloi and Mr. Talukdar within 3 [three] working days from today.
5. The petitioners shall take steps for service of notice upon the respondent no. 4 by registered post with A/D within 3 [three] working days from today.
6. List the case after 4 [four] weeks.

JUDGE

Comparing Assistant