

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, M. RAHMAN,MR. A S TAPADER

Advocate for the Respondent : SC, REVENUE, MR. A BHATTACHARJEE(R-4),MR. A ROY(R-4),GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 23.10.2024

Heard Mr. M. Rahman, learned counsel for the petitioner; Mr. R. Borpujari, learned Standing Counsel, Revenue & Disaster Management Department for the respondent no. 1; Ms. S. Konwar, learned Junior Government Advocate, Assam for the respondent nos. 2 & 3; and Mr. A. Roy, learned counsel for the respondent no. 4.

Ms. Konwar, learned Junior Government Advocate, Assam has submitted that the necessary instructions for filing of counter affidavit on behalf of the respondent nos. 2 & 3 have been received and the counter affidavit on their behalf will be filed within 4 [four] weeks' time.

Mr. Roy, learned counsel for the respondent no. 4 has also submitted that he would need 4 [four] weeks' time to obtain instructions and to file counter affidavit on behalf of the said respondent.

Both Ms. Konwar, learned Junior Government Advocate, Assam and Mr. Roy, learned counsel for the respondent no. 4 have, thus, prayed for listing of the case after 4 [four] weeks.

The prayers are allowed.

List the after 4 [four] weeks in order to enable the respondent nos. 2 & 3 and the respondent no. 4 to file their respective counter affidavits.

JUDGE

Comparing Assistant