

GAHC010035472026



2026:GAU-AS:9234

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

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

ABDUL AJIJ 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.

For the Petitioner(s) : Mr. M. Rahman, Advocate

For the Respondent(s) : Mr. H. K. Hazarika, Government Advocate
: Mr. P. R. Mahanta, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 24.06.2026

Heard Mr. M. Rahman, the learned counsel appearing on behalf of the Petitioners and Ms. P. R. Mahanta, the learned Standing counsel appearing on behalf of the Respondent No.1. I have also heard Mr. H. K. Hazarika, the learned Government Advocate appearing on behalf of the Respondent Nos. 2 & 3.

2. The Petitioners herein claimed that they were in occupation of various plots of land being rayati khatian holders. Pursuant to the acquisition of land by the State under the Assam Fixation of Ceiling on Land Holdings Act, 1956 (for short 'the Act of 1956'), 520 Bighas 2 Kathas 9 Lechas of land were acquired.

3. It is the case of the Petitioners that in terms with Section 16 of the Act of 1956, the Petitioners ought to have been granted the settlement. Some of the rayati khatian holders were granted the allotment and settlement however the Petitioners were left out. It is under such circumstances, the Petitioners have approached this Court.

4. This Court has also taken note of the affidavit-in-opposition which has been filed by the Respondent No.2 wherein details have been mentioned as to whom allotments have been granted and it is also mentioned that these Petitioners are not presently in occupation of their lands. Reference was also made to Clause 1.1 of the Assam Land Policy, 2019.

5. This Court having noted the affidavit-in-opposition filed by the Respondent No.2 finds it pertinent to observe that there is no mention as to when the allotments were made and further, what steps have been taken pursuant thereto. The material particulars as regards the allotment so made, the verification

which were carried out are missing in the affidavit-in-opposition.

6. Accordingly, list this matter again on 19.08.2026.

7. In the meantime, this Court directs the Respondent No.2 to file a detailed affidavit providing as to whether each of the Petitioners have been granted allotment and if so, when and as to whether the Assam Land Policy, 2019 would be applicable, if the allotment was granted prior to the Assam Land Policy, 2019 coming into force.

JUDGE

Comparing Assistant