

GAHC010105572024



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

Case No. : WP(C)/2841/2024

GAURANGA CH SHARMA AND ANR
S/O- LATE JOGENDRA CH. SHARMA, R/O- VILLAGE- THURIBARI,
BASUGAON, P.S. AND P.O. BASUGAON, DIST.- KOKRAJHAR (BTR), ASSAM,
PRESENTLY RESIDING AT KALIBARI ROAD, P.O. AND DIST.- DIMAPUR,
NAGALAND, PIN- 797112

2: SRI NITYANANDA SHARMA
S/O- LATE JOGENDRA CH. SHARMA
R/O- VILLAGE- THURIBARI
BASUGAON
P.S. AND P.O. BASUGAON
DIST.- KOKRAJHAR (BTR)
ASSAM
PRESENTLY RESIDING AT KALIBARI ROAD
P.O. AND DIST.- DIMAPUR
NAGALAND
PIN- 79711

VERSUS

THE BODOLAND TERRITORIAL COUNCIL AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY BTC, BODOFA NWGWR,
KOKRAJHAR, BODOLAND TERRITORIAL REGION (ASSAM)

2: THE SECRETARY
REVENUE DEPARTMENT
BTC
BODOFA NWGWR
KOKRAJHAR
DIST. KOKRAJHAR

3: THE DISTRICT COMMISSIONER
KOKRAJHAR
KOKRAJHAR

BTR
ASSAM

4:THE DISTRICT COMMISSIONER
CHIRANG
CHIRANG
BTR
ASSAM

5:THE CIRCLE OFFICER
SIDLI REVENUE CIRCLE
DIST.- CHIRANG
BTR
ASSAM

6:THE LOT MANDAL
SIDLI REVENUE CIRCLE
DIST.- CHIRANG
BTR
ASSA

Advocate for the Petitioner : MR. B J MUKHERJEE

Advocate for the Respondent : SC, BTC

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 03.06.2024

Heard Mr. B.J. Mukherjee, learned counsel for the petitioners. Also heard Mr.S.R.Rabha, learned Standing Counsel, BTC representing respondent Nos. 1, 2, 5 and 6 and Mr. H. Sarma, learned Additional Senior Government Advocate representing respondent Nos. 3 and 4.

The writ petitioner claimed to be the legal heirs of late Jognendra Chandra Sharma, who had purchased a plot of land in the year 1967. Late Jogendra Chandra Sharma passed away in the year 1975 leaving behind the writ petitioners, who have possessed the land since then. It is submitted that the

petitioners have approached the authorities concerned to pay the Land Revenue and they continue to pay the Land Revenue till 2011 and when they approached the authorities to pay the land revenue on 2015 and to mutate their names in the record of rights, the relevant records could not be traced out and the authorities refused the existence of any land in their name. The petitioners are apprehending that they may be possibly evicted without following due procedure of law from the land which is under their rightful claim. Representations made before the DC has not evoked any response. And therefore, the petitioners had approached this Court.

Issue Notice Returnable by 4 (four) weeks.

Since the learned counsels representing the respondents, Notices waived, however extra copies of the writ petition be furnished within a period of 1 (one) week from today.

Accordingly, matter be listed after the returnable date.

JUDGE

Comparing Assistant