

GAHC010241802025



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

Case No. : WP(C)/6443/2025

GAHIN SAHARIA AND ANR
S/O. LATE BIPIN KOCH @ BIPIN SAHARIA, R/O. VILL- BAGACHALA, P.S.-
SIPAJHAR, DIST. -DARRANG, ASSAM. PIN NO. 784148

2: KESHAB SAHARIA
S/O. LATE RAMESWAR SAHARIA @ RAMESWAR KOCH
R/O. VILL- BAGACHALA
P.S.- SIPAJHAR
DIST. -DARRANG
ASSAM. PIN NO. 78414

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, THE DISASTER MANAGEMENT AND LAND REVENUE
DEPARTMENT, (DMLR), DISPUR, GHY-6, KAMRUP (M), ASSAM.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
THE DISASTER MANAGEMENT LAND REVENUE DEPARTMENT (DMLR)
DISPUR
GHY - 06
KAMRUP (M)
ASSAM

3:THE DISTRICT COMMISSIONER
DARRANG
MONGALDOI
ASSAM
PIN - 784125

4:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPARTMENT
CHANDMARI

GHY- 03
KAMRUP (M)
ASSAM.

5:THE CHIEF ENGINEER
WATER RESOURCE DEPARTMENT
CHANDMARI
GHY - 03
KAMRUP (M)
ASSAM.

6:THE EXECUTIVE ENGINEER
MANGALDOI WATER RESOURCES DIVISION
MANGALDOI
DARRANG
ASSAM
PIN- 784125.

7:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 06
KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR. R C DAS, MR. H RAHMAN,A JUBARIA,A KASHYAP,MR S
HUSSAIN

Advocate for the Respondent : SC, REVENUE, GA, ASSAM,SC, WATER RESOURCE,SC,
FINANCE

Linked Case : WP(C)/3097/2024

SAYED ISFAK HUSSAIN
S/O- SAMSUDDIN
R/O- VILLAGE- BOGACHOLA
MOUZA- DIPILA SUB-DIVISION-MANGALDOI
DISTRICT- DARRANG
P.O. TENGARA
P.S. SIPAJHAR
DISTRICT- DARRANG
ASSAM
PIN- 781126

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF ASSAM
REVENUE DEPARTMENT SECONDARY
DISPUR
GUWAHATI- 781006
KAMRUP (M)
ASSAM

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DMLR DEPARTMENT
DISPUR
GUWAHATI- 781006
KAMRUP (M)
ASSAM

3:THE DEPUTY COMMISSIONER
DARRANG
MANGALDOI
ASSAM
PIN- 784125

4:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPARTMENT
DISPUR
GUWAHATI- 781006
KAMRUP (M)
ASSAM

Advocate for : M HOSSAIN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/6487/2025

MAHAT KALITA AND ANR
S/O. LATE KHUDURAM KALITA
R/O. VILL- TENGRA
P.S.- SIPAJHAR
DIST. -DARRANG
ASSAM. PIN NO. 784148.

2: LOKNATH KALITA
S/O. LATE CHANDI KALITA
R/O. VILL- TENGRA
P.S.- SIPAJHAR
DIST. DARRANG
ASSAM. PIN NO. 784148.
VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
DISASTER MANAGEMENT LAND REVENUE DEPARTMENT (DMLR)
DISPUR
GHY-6
KAMRUP (M)
ASSAM.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
DISASTER MANAGEMENT AND LAND REVENUE DEPARTMENT (DMLR)
DISPUR
GHY - 06
KAMRUP (M)
ASSAM

3:THE DISTRICT COMMISSIONER
DARRANG
MONGALDOI
ASSAM
PIN - 784125.

4:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPARTMENT
CHANDMARI
GHY - 03
KAMRUP (M)
ASSAM.

5:THE CHIEF ENGINEER
WATER RESOURCE DEPARTMENT
CHANDMARI
GHY - 03
KAMRUP (M)
ASSAM.

6:THE EXECUTIVE ENGINEER
MANGALDOI WATER RESOURCES DIVISION
MANGALDOI
DARRANG

ASSAM
PIN- 784125.

7:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 06
KAMRUP (M)
ASSAM.

Advocate for : MR. R C DAS
Advocate for : SC
REVENUE AND DISASTER MANAGEMENT DEPT appearing for THE STATE OF
ASSAM AND 6 ORS.

Linked Case : WP(C)/6496/2025

RAMAKANTA DEKA
S/O. LATE DAYARAM DEKA @ DAYARAM KOCH
R/O. VILL- BAGACHALA
P.S.- SIPAJHAR
DIST. -DARRANG
ASSAM. PIN. NO. 784148

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
DISASTER MANAGEMENT LAND REVENUE DEPARTMENT (DMLR)
DISPUR
GHY-6
KAMRUP (M)
ASSAM.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
DISASTER MANAGEMENT AND LAND REVENUE DEPARTMENT (DMLR)
DISPUR
GHY - 06
KAMRUP (M)
ASSAM

3:THE DISTRICT COMMISSIONER
DARRANG
MONGALDOI

ASSAM
PIN - 784125

4:THE UNDER SECRETARY TO THE GOVT. OF ASSAM
WATER RESOURCE DEPARTMENT
CHANDMARI
GHY - 03
KAMRUP (M)
ASSAM

5:THE CHIEF ENGINEER
WATER RESOURCE DEPARTMENT
CHANDMARI
GHY - 03
KAMRUP (M)
ASSAM.

6:THE EXECUTIVE ENGINEER
MANGALDOI WATER RESOURCES DIVISION
MANGALDOI
DARRANG
ASSAM
PIN- 784125.

7:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 06
KAMRUP (M)
ASSAM.

Advocate for : MR. R C DAS
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND 6 ORS.

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

05.03.2026

Heard Shri Ratan Chandra Das, learned counsel for the petitioners in WP(C)/6443/2025, 6487/2025 & WP(C)/6496/2025 whereas Shri M. Hussain, learned counsel appears for the petitioner in WP(C)/3097/2024.

The claim is with regard to compensation for land acquisition. The land acquisition proceeding was registered as LA Case No. 6/2001-02 for acquisition of land in the district of Darrang by the Water Resource Department.

The petitioners have relied on Gazette Notification of the year 2014 wherein the names of the affected persons have been stated which includes the names of the petitioners.

Ms. P. Chakraborty, learned Standing Counsel, Water Resource Department has however submitted that there are certain other writ petitions filed on similar issue and in WP(C)/2555/2025, an affidavit-in-opposition has been filed which would also cover the present writ petitions.

In the interest of justice, let a copy of the affidavit-in-opposition filed in that writ petition be served upon the learned counsel for the petitioners in these cases. Further, liberty is granted to the petitioners to file rejoinder affidavit to such affidavit-in-opposition.

List along with WP(C)/2555/2025 on 25.03.2026, prior to which date, rejoinder affidavit(s) may be filed.

JUDGE

Comparing Assistant