

GAHC010119142021



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

Case No. : WP(C)/4047/2021

JALAL UDDIN AND 19 ORS.

S/O LATE MUJAMMIL ALI, R/O VILL- ICHARPAR, P.O.-KOTAMONI, P.S.-
BAZARICHERRA, DIST- KARIMGANJ, ASSAM, PIN-788728

2: FAKAR UDDIN

S/O JAMIR UDDIN
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

3: BADRUL HOQUE

S/O LATE JUMAR ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

4: FASAN ALI

S/O LATE MOYUB ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

5: RUSTUM ALI

S/O LATE KOTAI MIA
R/O VILL- ICHARPAR

P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

6: ABDUL KAYYUN
S/O LATE MUJAMMIL ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

7: RIAZ UDDIN
S/O LATE ARKUM ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

8: JAINUL HOQUE
S/O LATE ASAB ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

9: ROFIK UDDIN
S/O LATE ARKUM ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

10: MOSTAN ALI
S/O LATE MOYUB ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ

ASSAM
PIN-788728

11: SONAHAR ALI
S/O LATE ABDUL GOFUR @ BEGU MIA
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

12: KUTUB UDDIN
S/O LATE MOKADDAS ALI
R/O VILL- TEZPUR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

13: AFAS UDDIN
S/O LATE AMIR ALI
R/O VILL- TEZPUR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

14: ALTAB UDDIN
S/O LATE ABDUL KARIM
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

15: JIAB UDDIN
S/O LATE ABDUL KARIM AND TAJMUN NESSA
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

16: SULTANA BEGUM
D/O ABDUL SALAM
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

17: BOTOL
S/O LATE ASAB ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

18: SULTAN MAMUD
S/O LATE MUJAMMIL ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

19: KHASRUL ISLAM
S/O LATE CHARKUM ALI
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-788728

20: GARIB ALI
S/O LATE ABDUL GOFUR @ BEDU MIA
R/O VILL- ICHARPAR
P.O.-KOTAMONI
P.S.-BAZARICHERRA
DIST- KARIMGANJ
ASSAM
PIN-78872

VERSUS

THE STATE OF ASSAM AND 8 ORS.

REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
ENVIRONMENT AND FOREST DEPARTMENT, DISPUR, GUWAHATI-781006,
ASSAM

2:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE
ASSAM
PANJABARI
GUWAHATI-37

3:THE DEPUTY COMMISSIONER
KARIMGANJ
DIST-KARIMGANJ
ASSAM

4:THE SUPERINTENDENT OF POLICE
KARIMGANJ
DIST-KARIMGANJ
ASSAM

5:THE DIVISIONAL FOREST OFFICER
KARIMGANJ
DIST-KARIMGANJ
ASSAM

6:THE RANGE OFFICER
LOWAIRPARA RANGE OFFICE
PATHARKANDI
DIST-KARIMGANJ
ASSAM

7:THE BEAT FOREST OFFICER
PATIALA SUB-BEAT
PATHARKANDI
DIST-KARIMGANJ
ASSAM

8:THE CIRCLE OFFICER
PATHARKANDI REVENUE CIRCLE
PATHARKANDI
DIST-KARIMGANJ
ASSAM

9:THE OFFICER IN CHARGE
BAZARICHERRA POLICE STATION
DIST-KARIMGANJ
ASSA

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA**

ORDER

Date : -24.8.2021

Heard Mr. F. U. Barbhuiya learned counsel for the petitioners. Mr. K. Goswami, learned Addl. Senior Govt. Advocate is present for respondent No.3

Mr. P. N. Goswami, learned Addl. Advocate General, Assam assisted by Mr. D. Gogoi, learned Standing Counsel, Forest Department submits that W.A No. 212/2019 covering the same issue is pending before the Hon'ble Division Bench of this court. The said writ appeal arose out of an order of dismissal passed in a writ petition covering the same issue raised in this writ petition. In view of the submission made by Mr. Goswami, Mr. Borbhuiya sought one week time to verify the contention of Mr. Goswami and to take necessary steps.

In view of the same let this matter be listed for motion on 6.9.2021 alongwith WP(C) No. 4078/2021

JUDGE

Comparing Assistant