

GAHC010124662021



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

**Case No. : WP(C)/4078/2021**

JAMIR UDDIN AND 19 ORS  
S/O- LT. NIMAR ALI, R/O- VILL- ICHARPAR, P.O. KOTAMONI, P.S.  
BAZARICHERRA, DIST.- KARIMGANJ, PIN- 788728

2: NACHIR UDDIN  
S/O- HIFJUR RAHMAN  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

3: KAMRUL HOQUE  
S/O- LT. MOIDUR RAHMAN  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

4: NURUL HAQUE  
S/O- LT. FAYEJ ALI @ FAIJ ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

5: MOIMUN NESSA  
W/O- LT. FAYEJ ALI @ FAIJ ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

6: ABDUL SALAM  
S/O- LT. ABDUL JABBAR

R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

7: JAMAL UDDIN  
S/O- KHALIL UDDIN  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

8: JALAL UDDIN  
S/O- LT. ABDUL NUR  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

9: ABDUR REZZAK  
S/O- LT. JOHIR ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

10: ABDUL NUR  
S/O- LT. ISHAD ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

11: AJIJUR RAHMAN  
S/O- TAYABUR RAHMAN  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

12: ACHADUR RAHMAN  
S/O- LT. HUSEN AHMED  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

13: MONOZZIR ALI

S/O- LT. MAHABAT ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

14: HELAL UDDIN  
S/O- LT. SARAHAR ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

15: MUSTAFA UDDIN  
S/O- LT. MASADDAR ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

16: TARMUCH ALI  
S/O- LT. KALA MIA  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

17: ANWAR ALI  
S/O- LT. KALA ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

18: ABDUL RAJJAK  
S/O- ABDUL GAFUR  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

19: ABDUL KARIM  
S/O- LT. ABDUL GAFUR  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

20: AZIR UDDIN  
S/O- LT. ASAB ALI  
R/O- VILL- ICHARPAR  
P.O. KOTAMONI  
P.S. BAZARICHERRA  
DIST.- KARIMGANJ

VERSUS

THE STATE OF ASSAM AND 8 ORS  
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,  
ENVIRONMENT AND FOREST DEPTT., DISPUR, GHY-06, ASSAM

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

3:THE DY. 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  
LOWAIRPOWA 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 P.S., 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. 4047/2021

**JUDGE**

**Comparing Assistant**