

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

Linked Case : 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  
ASSAM

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Advocate for : MR H R A CHOUDHURY  
Advocate for : SC  
FOREST appearing for THE STATE OF ASSAM AND 8 ORS

**BEFORE  
HONOURABLE MR. JUSTICE NANI TAGIA**

**ORDER**

**Date : 21.06.2023**

Heard Mr. J. M. Sulaiman, learned counsel for the petitioners.

Mr. R. R. Gogoi, learned standing counsel, Forest Department, submits that he has received the instruction from the Department concerned but further necessary instruction is required to be obtained by him, for which, he prays for listing of these matters after 2 weeks.

Prayer is allowed.

List it accordingly after 2 weeks.

**JUDGE**

**Comparing Assistant**