

GAHC010142642026



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

Case No. : WP(C)/3660/2026

SOFULUDDIN SHEIKH
S/O LATE SAMSEL HOQUE, VILL. AJAD NAGARWARD NO. 19 P.O.
BALADMARI P.S. GOALPARA, DIST. GOALPARA, ASSAM PIN 783101

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, ENVIRONMENT FOREST DEPARTMENT,
DISPUR, GUWAHATI 781006.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS HEAD OF FOREST
FORCE
ASSAM
ARANYA BHAWAN
PANJABARI
GUWAHATI 781037.

3:THE AUTHORISED OFFICER CUM DIVISIONAL FOREST OFFICER
GOALPARA FOREST DIVISION (TERRITORIAL)
P.O. BALADMARI
DIST. GOALPARA
ASSAM
PIN 783121.

4:THE RANGE FOREST OFFICER
GOALPARA SADAR RANGE
GOALPARA
P.O. BALADMARI
P.S. AND DIST. GOALPARA
ASSAM
PIN 783121.

5:THE DISTRICT COMMISSIONER
GOALPARA
P.O. AND DIST. GOALPARA
ASSAM
PIN 783101.

6:THE CIRCLE OFFICER
MATIA CIRCLE
P.O. MATIA
DIST. GOALPARA
ASSAM
PIN 783125

Advocate for the Petitioner : MR. S B LASKAR, MR. H A LASKAR,MS D DUTTA

Advocate for the Respondent : GA, ASSAM, SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

07.08.2026

Heard Shri S.B. Laskar, learned counsel for the petitioner. Also heard Shri R.R. Gogoi, learned Standing Counsel, Forest Department as well as Shri R. Talukdar, learned State Counsel, Assam.

The challenge was with regard to a confiscation proceeding initiated under Section 49(4) of the Assam Forest Regulation, 1891. It is contended on behalf of the petitioner that the depot is over a miyadi patta land.

On the contrary, the Department has contended that the depot is within the Raikhyasini Proposed Reserve Forest in the district of Karimganj.

Notice in this case was issued on 17.07.2026 and instructions were directed to be obtained.

The learned Standing Counsel, Forest Department has submitted that in the meantime, a proceeding was concluded resulting in an order dated 18.07.2026.

This Court is of the view that for a complete adjudication of the matter, the aforesaid order dated 18.07.2026 is required to be challenged, if so advised in accordance with law.

Shri Laskar, learned counsel for the petitioner, at this stage, submits that while the writ petition may be closed, he may be given liberty to make a challenge of the final order, a copy of which has also been furnished to him in the Court itself.

In view of the above, the writ petition is closed with liberty as mentioned above.

Copies of the written instructions dated 02.08.2026 and the order dated 18.07.2026 are made part of the records.

JUDGE

Comparing Assistant