

GAHC010147492023



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

Case No. : WP(C)/3945/2023

SMTI. KUNJALATA GOGOI AND 16 ORS
W/O LATE SUNARAM GOGOI, R/VILLAGE-CHAIKYA GAON, NAMRUP, P.O.-
PARBATPUR, P.S.-NAMRUP, MOUZA-JOYPUR, DIST-DIBRUGARH, ASSAM,
PIN-786623

2: DINOMONI GOGOI
S/O LATE MAHENDRA GOGOI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

3: JOGENDRA NATH CHETIA
S/O LEBAN CHETIA
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

4: BOMBAHADUR THAPA
S/O LATE CHINTARAM THAPA
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR

DIST-DIBRUGARH
ASSAM
PIN-786623

5: RAJEN BURAGOHAIN
S/O LATE DEBAN BURAGOHAIN
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

6: JOGEN GOGOI
S/O LATE BOGADHAR GOGOI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

7: SMT. SARUMAI NAHARDEKA
W/O LATE BIKUL NAHARDEKA
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

8: MRIDUL GOGOI
S/O MOHENDRA GOGOI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

9: LALIT GOGOI
S/O LATE PRADIP GOGOI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

10: TORABOR GOGOI
S/O LATE KESHARAM GOGOI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

11: SMT. BOBI BARUAH
W/O LATE TITU BARUAH
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

12: DIGANTA BARUAH
S/O PUBYA BARUAH
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

13: SMT. NANI GOGOI
W/O DULAL CH. GOGOI
R/O CHAIKYA GAON
NAMRUP

P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

14: BIREN CHETRY
S/O LATE BIBBAHADUR CHETRI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

15: NARAYAN THAKURI
S/O GONESH THAKURI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

16: SMT BOBISMITA CHETIA GOGOI
W/O SHRI JADUNATH GOGOI
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

17: AMULYA SONOWAL
S/O LATE BASANTA SONOWAL
R/O CHAIKYA GAON
NAMRUP
P.O.-PARBATPUR
P.S.-NAMRUP
MOUZA-JOYPUR
DIST-DIBRUGARH

ASSAM
PIN-78662

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, DEPARTMENT
OF REVENUE, DISPUR-06, KAMRUP, ASSAM

2:THE BRAHMAPUTRA VALLEY FERTILIZER CORPORATION LIMITED
A GOVT. OF INDIA UNDERTAKING
REPRESENTED BY ITS MANAGING DIRECTOR
HAVING ITS REGISTERED OFFICE AT NAMRUP
P.O.-PARBATPUR
DIST-DIBRUGARH
ASSAM
PIN-786623

3:M/S ASSAM PETROCHEMICALS LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR
HAVING ITS REGISTERED OFFICE AT NAMRUP
P.O.-PARBATPUR
DIST- DIBRUGARH
ASSAM
PIN-786623

4:THE DEPUTY COMMISSIONER
DIBRUGARH
ASSAM

5:THE ADDITIONAL DEPUTY COMMISSIONER
DIBRUGARH (R)
ASSAM

6:THE CIRCLE OFFICER
NAHARKATIA REVENUE CIRCLE
NAHARKATIA
DIBRUGARH
ASSAM

7:THE ESTATE OFFICER
BRAHMAPUTRA VALLEY FERTILIZER CORPORATION LIMITED
NAMRUP
P.O.-PARBATPUR
DIST-DIBRUGARH
ASSAM
PIN-78662

Advocate for the Petitioner : MR. P J SAIKIA

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 6.7.2023

This writ petition under Article 226 of the Constitution of Indian has been filed by 17 nos. of petitioners challenging the individual order passed on 2.6.2023 by the Estate Officer, Brahmaputra Valley Fertilizer Corporation Ltd. Namrup asking the petitioners to vacate the premises which they are occupying, within 15 (fifteen) days from the date of publication of said order.

Issue notice to the respondents returnable within four weeks.

As Mr. A. Bhattacharjee, learned Standing Counsel, Revenue and Disaster Management Department, Govt. of Assam, respondent No.1 and Mr. D. Bora, learned counsel appearing for respondent Nos. 4, 5 and 6 are present, no separate notice need to be issued to respondent Nos.1,4,5 and 6. However, extra copies of the petition shall be furnished to the learned counsel for the said respondents by the learned counsel for the petitioner.

The petitioner shall take steps for issuance of notice on the respondent Nos. 2,3 and 7 through registered post with A/D within three days from today.

Learned counsel for the respondent raised the issue of maintainability of this writ petition which may be considered after appearance of the remaining parties.

JUDGE

Comparing Assistant