

GAHC010158132023



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

Case No. : WP(C)/4227/2023

BISWAJIT DUTTA
S/O- LATE PRAFULLA KR. DUTTA,
VILL- PUAL PARA, WARD NO. 11,
P.O.- BONGAIGAON,
P.S- BONGAIGAON,
DIST.- BONGAIGAON, ASSAM.

VERSUS

UNION OF INDIA AND 7 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA,
MINISTRY OF LABOUR EMPLOYMENT AND REHAB. (REHABILITATION
DEPARTMENT),
NEW DELHI-11.

2:THE STATE OF ASSAM
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF ASSAM

DISPUR
GHY-6.

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
RELIEF AND REHABILITATION DEPARTMENT
DISPUR
GHY-6.

4:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GHY-6.

5:THE DEPUTY COMMISSIONER

BONGAIGAON
P.O. AND DIST.- BONGAIGAON
ASSAM.

6:THE DEPUTY COMMISSIONER
GOALPARA
P.O. AND DIST.- GOALPARA
ASSAM.

7:THE DEPUTY COMMISSIONER
DHUBRI
P.O. AND DIST.- DHUBRI
ASSAM.

8:THE CIRCLE OFFICER
BONGAIGAON REVENUE CIRCLE
P.O. AND DIST.- BONGAIGAON
ASSAM

Advocate for the Petitioner : MR M H AHMED

Advocate for the Respondent : DY.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 02-08-2023

Heard Mr. M.H. Ahmed, learned counsel for the writ petitioner.

As per the case projected in the writ petition, a plot of land measuring 1K-5L was originally allotted in the name of the predecessor-in-interest of the writ petitioner Prafulla Dutta. After the death of Prafulla Dutta, the petitioner being his legal heir has pursued the matter. By the letter dated 13-08-2015, the authorities had conveyed their decision to allot the land in favour of the petitioners herein on payment of premium of Rs. 8,50,000/-. The petitioner is before this Court alleging that the amount of premium demanded by the respondents is exorbitant and without any valid basis.

Mr. C.K.S. Baruah, learned Govt. Advocate, Assam prays for some time to obtain instruction and file affidavit indicating the basis on which the calculation of premium has been made in respect of the land in question.

Issue notice of motion returnable in 04 weeks.

Mr. H. Gupta, learned CGC has appeared and accepted notice on behalf of respondent No. 1, Mr. C.K.S. Baruah, learned Govt. Advocate, Assam has accepted notice on behalf of respondent Nos. 2, 5 and 6 and Ms. N. Bordoloi, learned standing counsel, Revenue Department, Assam, has accepted notice on behalf of respondent Nos. 3 and 4. As such, service of notice is deemed to be complete in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned standing counsel.

List this matter along with W.P.(C) No. 4181/2023 and W.P.(C) No. 4333/2023.

JUDGE

GS

Comparing Assistant