

GAHC010160592026



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

Case No. : WP(C)/4081/2026

MD. JALAL ALI AND 6 ORS.
SON OF- BEDARA ALI, R/O- RANGA PANI, BONGARA, KAMRUP METRO,
ASSAM, DISTRICT- KAMRUP, ASSAM PIN-781015.

2: MAJAMIL ALI
SON OF- RAHIM ALI
R/O- VTC- KHENA ALLI BARI
P.O.- RANI
SUB DISTRICT- PALASBARI
DISTRICT- KAMRUP
ASSAM PIN-781131.

3: RASMIL ALI
S/O- RAHIM ALI
R/O- 50
RANI ROAD
ISLAMPUR
VTC-KHENA ALLI BARI
P.O.- RANI
SUB DISTRICT- PALASBARI
DISTRICT- KAMRUP
ASSAM
PIN-781131.

4: CHAIFUDDIN ALI
S/O- KUTUP ALI
R/O- KHENA ALLIBARI
P.O.- RANI
DISTRICT- KAMRUP
ASSAM
PIN-781131.

5: ABDUL KAYEM
S/O- RAHIM ALI

R/O- KHENA ALLIBARI
KAMRUP DISTRICT- KAMRUP
ASSAM
PIN-781131.

6: JAHANARA BIBI
W/O- JALIL ALI
R/O- KHENA ALLIBARI
P.O.- RANI
DISTRICT- KAMRUP
ASSAM
PIN-781131.

7: MAHIM ALI
S/O- BEDARA ALI
R/O- RANGA PANI
VTC- RANGAPARA
P.O.- RANI
SUB-DISTRICT- PALASBARI
DISTRICT- KAMRUP
ASSAM
PIN-781131

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, JANATA
BHAWAN, ASSAM SECRETARIAT COMPLEX, DISPUR, GUWAHATI- 781006.

2:THE DISTRICT COMMISSIONER
KAMRUP
ASSAM

3:THE CO-DISTRICT COMMISSIONER

PALASHBARI CO- DISTRICT.

4:THE CIRCLE OFFICER
PALASHBARI REVENUE CIRCLE.

5:THE SUPERINTENDENT OF POLICE
KAMRUP
ASSAM

6:THE OFFICER-IN-CHARGE

PALASHBARI POLICE STATION

Advocate for the Petitioner : MR. A R BHUYAN, MR N Z CHOUDHURY,S LASKAR

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

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : --31.07.2026

Heard Mr. A.R. Bhuyan, learned Senior Counsel assisted by Mr. N.Z. Choudhury, learned counsel for the petitioner; Mr. R. Borpujari, learned Standing Counsel, Revenue & Disaster Management Department for the respondent no. 1; and Mr. J. Handique, learned Junior Government Advocate, Assam for the respondent nos. 2 to 6.

2. The petitioner has been served with an Eviction Notice dated 16.07.2026 by the respondent no. 4.

3. The operative parts of the Eviction Notice dated 16.07.2026 read as under :-

Whereas the District Commissioner, Kamrup vide order No. E-177549LS/206/2026-KRS/32 dated 16.07.2026 and Co-District Commissioner vide Letter No. CDC/PAL/Hearing-Khena Allibari/70/2026/546 dated 16.07.2026 directed the undersigned to initiate eviction on process against non-protected class as per Rule 165[1], 165[2] and 165[3] of the ALRR, 1886 in respect of unsettled and periodically settled lands in the Revenue Village Khena Allibari [Part-1] under Palashbari Revenue Circle.

Therefore, the following individuals [List of Annexure-A] are directed to vacate, remove all structure, belonging to encroachments from the below mentioned schedule of land within 15 [fifteen] days on receipt of this notice.

4. Mr. Borpujari, learned Standing Counsel, Revenue & Disaster Management Department

has submitted that he will produce the copies of the Order No. E-177549LS/206/2026-KRS/32 dated 16.07.2026 of the District Commissioner, Kamrup and the Letter No. CDC/PAL/Hearing-Khena Allibari/70/2026/546 dated 16.07.2026 of the Co-District Commissioner on the ground that before proceeding further in the matter, a look at those documents appear necessary. He has, therefore, sought listing of the case on another date.

5. As sought for by Mr. Borpujari, list the case on 10.08.2026.

6. Till the next date of listing, there shall not be any consequential action in terms of the Eviction Notice dated 16.07.2026 against the petitioner.

JUDGE

Comparing Assistant