

GAHC010033462023



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

**Case No. : I.A.(Civil)/196/2024**

ON THE DEATH OF GAJENDRA PATHAK HIS LEGAL HEIR PRIYAM PATHAK  
W/O LATE GAJENDRA PATHAK

R/O HOUSE NO. 9  
BYE LANE 1  
ANANDA NAGAR

P.O.- DISPUR

P.S.- BHANGAGARH

GUWAHATI- 781

DIST.- KAMRUP (M)  
ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6.

2:THE DISCIPLINARY AUTHORITY  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR

GUWAHATI- 6.  
4:THE JOINT SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6.

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Advocate for : MR. U J SAIKIA  
Advocate for : SC  
REVENUE appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/5343/2022

GAJENDRA PATHAK  
S/O LATE NARAYAN CH. PATHAK

R/O HOUSE NO. 9  
BYE LANE 1  
ANANDA NAGAR

P.O.- DISPUR

P.S.- BHANGAGARH

GUWAHATI- 781

DIST.- KAMRUP (M)  
ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6.

2:THE DISCIPLINARY AUTHORITY  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6.

4:THE JOINT SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6.

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Advocate for : MR. U J SAIKIA  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : I.A.(Civil)/2241/2023

ON THE DEATH OF GAJENDRA PATHAK HIS LEGAL HEIRS PRIYAM PATHAK  
S/O LATE NARAYAN CH. PATHAK,  
R/O HOUSE NO. 9, BYE LANE 1, ANANDA NAGAR,  
P.O.- DISPUR,  
P.S.- BHANGAGARH,  
GUWAHATI- 781,  
DIST.- KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
REVENUE AND DISASTER MANAGEMENT DEPTT., DISPUR, GUWAHATI- 6.

2:THE DISCIPLINARY AUTHORITY  
REP. BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6.

4:THE JOINT SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPTT.  
DISPUR  
GUWAHATI- 6

**Advocate for the Petitioner** : MR. U J SAIKIA  
**Advocate for the Respondent** : GA, ASSAM

**BEFORE  
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**Date : 24.01.2024**

Heard Mr. U. J. Saikia, learned counsel for the petitioner. Also heard Mr. J. Handique, learned standing counsel, Revenue department.

Issue Notice Returnable after 4 (four) weeks.

Since the learned counsel appears on behalf of all the respondents, Notices waived however, extra copies of the Interlocutory Application be furnished within 1 (one) week from today.

The respondents will file their objections, if any.

Accordingly, matter be listed again on 28<sup>th</sup> February, 2024.

**JUDGE**

**Comparing Assistant**