

GAHC010165422024



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

Case No. : WP(C)/4136/2024

DIPAK RAY AND ANR
SON OF LATE LAKSHAN CH. RAY, RESIDENT OF KAMPUR BAZAR, P.O.
AND P.S. KAMPUR, DISTRICT- NAGAON, ASSAM, PIN- 782426

2: SHRI BHAJAN KANTI RAY
SON OF LATE BHARAT CH. RAY
RESIDENT OF KAMPUR BAZAR
P.O. AND P.S. KAMPUR
DISTRICT- NAGAON
ASSAM
PIN- 78242

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY ITS COMMISSIONER AND SECRETARY, REVENUE AND
DISASTER MANAGEMENT DEPARTMENT, DISPUR, GUWAHATI, ASSAM-
781006

2: THE DEPUTY COMMISSIONER
NAGAON
OLD TRUNK ROAD
CHRISTIANPATTY
ASSAM- 782001

3: THE CIRCLE OFFICER
KAMPUR REVENUE CIRCLE
KAMPUR
ASSAM- 782426

4: KAMPUR MUNICIPAL BOARD
NAGAON
REPRESENTED BY THE EXECUTIVE OFFICE

Advocate for the petitioner(s): Ms. N Begum

Advocate for the respondent(s): Mr. N Goswami

Junior Government Advocate, Assam

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

29.08.2024

Pursuant to the order dated 14.08.2024, the Additional District Commissioner, Revenue, Nagaon had submitted a report to the effect that the land, in question, for which the notice was issued was a road side reserved land, covered under Dag No.234 located at village Kampur Town, Mouza Kampur under Kampur Revenue Circle in the Nagaon District. To that effect, a chitha copy has also been placed as evidence thereof.

2. It has also been mentioned that pursuant to the order passed by this Court, the petitioners have been evicted.

3. Further to that, it has also been mentioned that upon verifying the land records, it was found that a plot of myadi patta and ekshonia land measuring 1 katha 11 lechas covered by Dag Nos.353, 801, 834, 835 is under the possession of the petitioners which is being used for residential purpose. In addition to that, it has also been mentioned that the petitioners may relocate the business on the lands wherein the petitioners own i.e. a plot of land measuring 4 kathas 6 lechas contained in Dag No.483 of patta No.153 of village Kampur Town and another plot of land measuring 3 kathas 16 lechas covered by Dag No.496 of

Patta No.262 of Kampur Town. In that regard, the Chitha copies had also been placed before this Court.

4. In that view of the matter, it is the opinion of this Court that the above instruction(s) be placed on record by way of an affidavit so that the petitioners are in a position to reply to the same.

5. List again on 23.09.2024.

6. The respondents shall file their affidavit by 18.09.2024.

7. The petitioners, if so advised, would be at liberty to file their reply on or before the next date fixed.

JUDGE

Comparing Assistant