

GAHC010167552023



2026:GAU-AS:408

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

Case No. : WP(C)/4375/2023

ABDUL KHALIQUE AND 3 ORS
S/O- LT. ABDUL LATIF,
VILL- KHAGAIL, PO- CHATAL,
DIST.- KARIMGANJ, ASSAM,
PIN- 788720.

2: ABDUL MALIK
S/O- LT. ABDUL LATIF

VILL- KHAGAIL
PO- CHATAL

DIST.- KARIMGANJ
ASSAM

PIN- 788720.

3: JAYNAL ABEDIN
S/O- LT. ABDUL LATIF

VILL- KHAGAIL
PO- CHATAL

DIST.- KARIMGANJ
ASSAM

PIN- 788720.

4: ABDUL WAHID
S/O- LT. ABDUL KARIM

GRANDSON OF- LT. ABDUL LATIF

VILL- KHAGAIL

PO- CHATAL

DIST.- KARIMGANJ
ASSAM

PIN- 788720

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
REVENUE DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE DEPUTY COMMISSIONER
KARIMGANJ
P.O. AND DIST.- KARIMGANJ

ASSAM
PIN- 788710.

3:THE CIRCLE OFFICER
NILAMBAZAR REVENUE CIRCLE
P.O.- NILAMBAZAR
DISTRICT- KARIMGANJ

ASSAM
PIN- 788722

Advocate for the Petitioner : MR B SINHA,

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

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 09-01-2026

09.01.2026

Heard Mr. H. Islam, learned counsel for the petitioners. Also heard Ms. N. Bordoloi, learned Standing Counsel, Revenue Department for the respondent No. 1 and Mr. H. Sarma, learned State Counsel for the

respondent Nos. 2 & 3.

2. Considering the simple nature of the prayer made in this writ petition and as agreed to by the learned counsels for the parties, this writ petition is taken up and disposed of at the admission stage.

3. The petitioners, 4 (four) in numbers, by filing this writ petition have prayed for a simple direction to the respondent authorities to dispose of the application dated 22.02.2023, submitted jointly by them, in respect of the land measuring 2.0 Acre under Final Khatian No. 93 covered by Dag No. 910 (old)/758 (new) of Mouza-Fathepur Pt-I, Ph-Eagarsati, in the District of Karimganj, presently Sribhumi District.

4. The petitioners, who claim to be the surviving legal heirs of late Abdul Noor, S/o late Abdul Kadir, contends that their grandfather and great-grandfather occupied the subject land measuring 2.0 Acres out of 5.23 Acres covered by Dag No. 910 (old)/758 (new) under Mohal-Dashana, Taluk No. 15809/224 of Abdul Goni, Final Khatian No. 93 of Mouza-Fathepur Pt-I in the erstwhile District of Cachar, then under Karimganj District and now Sribhumi District. The petitioners claim that late Abdul Noor was in occupation and possession of the subject land and accordingly, his name was entered as a Rayot under Khatian No. 93.

5. According to the petitioners, they inherited the subject land after the demise of their father and grandfather. The petitioners applied for inclusion of their names in the Khatian; however, the respondent authorities, without considering the grievance of the petitioners regarding recording of their names, recorded the subject land as Khas land. It is the contention of the petitioners that they have right to have their names

recorded in the revenue records in terms of the provisions of the Assam State Acquisition of Zamindaries Act, 1951, which was applicable in the erstwhile District of Cachar. Therefore, they submit that their joint application dated 22.02.2023 may be directed to be considered and disposed of.

6. Having considered the simple nature of the prayer made by the petitioners for disposal of their joint application for recording their names in the revenue records in terms of the applicable provisions of law and as agreed to by the learned counsels for the respondents, Ms. N. Bordoloi, learned Standing Counsel for the Revenue Department and Mr. H. Saram, learned State Counsel, I deem it appropriate to dispose of this writ petition with a direction to the petitioners to file an application before the District Commissioner, Sribhumi District, within a period of 20 (twenty) days from today. On receipt of the application, the District Commissioner, Sribhumi District, shall consider and dispose of the same in accordance with law, within a period of 3 (three) months from the date of receipt of the application.

7. The writ petition stands disposed of, in terms above.

JUDGE

Comparing Assistant