

GAHC010178122023



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

Case No. : WP(C)/4746/2023

BITINISH SHIRA @ ABAGI SHIRA AND 6 ORS
W/O- DALDHAN MARAK,
RESIDENT OF VILLAGE- NAKMAKUNDI,
P.O.- DAMRA,
DISTRICT- GOALPARA, ASSAM.

2: SILVIA R. MARAK @ SILVIA MARAK
D/O- LATE RUSSELLINA R. MARAK

RESIDENT OF DAGLAPARA

P.O.- DAMRA
DISTRICT- GOALPARA

ASSAM.

3: LONDA MOMIN
W/O- LATE REPSON MARAK

RESIDENT OF VILLAGE- NAKMAKUNDI

P.O.- DAMRA
DISTRICT- GOALPARA

ASSAM.

4: PARDETHA MOMIN
W/O- KASTAM SANGMA

RESIDENT OF VILLAGE- NAKMAKUNDI

P.O.- DAMRA
DISTRICT- GOALPARA

ASSAM.

5: CHANDAN BARUAH
S/O- LATE MUKUL BARUAH

RESIDENT OF VILLAGE AND P.O.- DAMRA

DISTRICT- GOALPARA
ASSAM.

6: KESON SANGMA
HUSBAND OF LATE SOFIA SANGMA

RESIDENT OF VILLAGE- NAKMAKUNDI

P.O.- DAMRA
DISTRICT- GOALPARA

ASSAM.

7: DEOBALLA MOMIN @ DEOBANI MOMIN
W/O- LATE GRIMSEN MARAK

RESIDENT OF VILLAGE AND P.O.- DAMRA

DISTRICT- GOALPARA
ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
INDIA,
DEPARTMENT OF ROAD, TRANSPORT AND HIGHWAYS,
NEW DELHI-1.

2:THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM

LAND REVENUE AND DISASTER MANAGEMENT DEPARTMENT

DISPUR
GUWAHATI-6.

3:THE DEPUTY COMMISSIONER
GOALPARA
P.O. AND DISTRICT- GOALPARA

ASSAM.

4:THE CHIEF ENGINEER
PWD
N.H. WORKS
ASSAM
CHANDMARI
GUWAHATI-3.

5:THE EXECUTIVE ENGINEER
PWD
GUWAHATI
N.H. DIVISION
GUWAHATI-1

Advocate for the Petitioner : MR. N HOQUE

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

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

08.04.2024.

Heard Shri N Hoque, learned counsel for the petitioners, who has submitted that the subject matter involves a claim for acquisition compensation.

Shri H Sarma, learned Addl. Sr. Government Advocate, Assam, however, submits that the acquisition is made both for the PWD (NH) and the NHIDCL and whereas the PWD (NH) has been made a party respondent, the NHIDCL has not been made a party respondent.

In fact, Shri B Choudhury, learned Standing Counsel, PWD who is present has prayed for some time to obtain the instructions as to whether there has been any release of funds by the Department to the office of the Deputy Commissioner, Goalpara for onward release to the affected person.

Considering the above, list this case after 3 weeks to enable Shri Choudhury,

learned Standing Counsel, PWD to take further instructions.

Shri Hoque, learned counsel for the petitioners has also submitted that in the meantime, he may be given liberty to file appropriate application for impleadment of NHIDCL.

Liberty, as prayed for is granted.

JUDGE

Comparing Assistant