

GAHC010188632023



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

Case No. : WP(C)/5009/2023

JAHANGIR ALI SHAIKH AND 7 ORS.
S/O- LATE HAZARAT ALI SHAIKH, RESIDENTS OF- ALOMGANJ PART VII,
P.O. ALOMGANJ, DISTRICT- DHUBRI

2: MOYNAL HAQUE
S/O- LATE HAZARAT ALI SHAIKH
RESIDENTS OF- ALOMGANJ PART VII
P.O. ALOMGANJ
DISTRICT- DHUBRI

3: JIYAUH HAQUE
S/O- LATE HAZARAT ALI SHAIKH
RESIDENTS OF- ALOMGANJ PART VII
P.O. ALOMGANJ
DISTRICT- DHUBRI

4: MOZIBAR RAHMAN
S/O- LATE MANIK ULLAH SHAIKH
RESIDENTS OF VILLAGE- CHAUTARA
P.O. AND P.S. GAURIPUR
DISTRICT- DHUBRI
PIN NO. 783331

5: MUNJURUL HAQUE
S/O- LATE MANIK ULLAH SHAIKH
RESIDENTS OF VILLAGE- CHAUTARA
P.O. AND P.S. GAURIPUR
DISTRICT- DHUBRI
PIN NO. 783331

6: SAHAR ALI
S/O- LATE SORHAB ALI
RESIDENTS OF VILLAGE- DALANERALGA PART 2
P.O. AND P.S. GAURIPUR

DISTRICT- DHUBRI
PIN NO. 783331

7: AHAR ALI
S/O- LATE SORHAB ALI
RESIDENTS OF VILLAGE- DALANERALGA PART 2
P.O. AND P.S. GAURIPUR
DISTRICT- DHUBRI
PIN NO. 783331

8: JAHANUDDIN
RESIDENT OF- VILLAGE- CHAUTARA
P.O. AND P.S. GAURIPUR
DISTRICT- DHUBRI
PIN NO. 78333

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, DEPARTMENT
OF REVENUE AND DISASTER MANAGEMENT, GOVERNMENT OF ASSAM,
P.O. DISPUR, GUWAHATI- 781006

2:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT
GOVERNMENT OF ASSAM
P.O. DISPUR
GUWAHATI- 781006

3:THE BODOLAND TERRITORIAL COUNCIL
REPRESENTED BY THE PRINCIPAL SECRETARY TO BODOLAND
TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM
PIN NO- 783370

4:THE JOINT SECRETARY
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM
PIN NO.- 783370

5:THE COMMANDANT
20TH AP (IR) BN. HEADQUARTER
PANBARI
DISTRICT- DHUBRI
PIN NO- 783339

6:THE DEPUTY COMMISSIONER
KOKRAJHAR
PIN NO.- 783370

7:THE CIRCLE OFFICER
BAGRIBARI REVENUE CIRCLE
P.O.- BAGRIBARI
DISTRICT- KOKRAJHAR
PIN NO- 78334

Advocate for the Petitioner : MR. SURAJIT DAS, MR. P P DAS

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

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 29.10.2024

Ms. P. R. Mahanta, learned counsel for the respondent nos. 1 and 2 and Mr. J. Handique, learned counsel for the respondent nos. 5 and 6.

It is submitted by Mr. R. K. Musahari, learned Standing Counsel for BTC that in order to carry out the demarcation as directed earlier by this court by order dated 13.03.2024, he has received instructions which has been placed on record and kept on the file as 'X' to show that a physical survey is required to be conducted for demarcation of the land of the battalion to ascertain the actual possession of the land and to take necessary follow up action.

In view of the aforesaid instruction, let the re-survey as directed in the instruction dated 08.04.2024 be carried out in order to demarcate the subject land and to ascertain the actual possession of

the land to take necessary follow up action thereof in WP(C) No.5009/2023.

Let the report accordingly be submitted on the next date of listing .

It is needless to be clarified that the jurisdictional Circle Officer shall co-operate with respondent BTC in order to conduct the said re-survey.

List the matter on 09.12.2024.

JUDGE

Comparing Assistant