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

Case No. : WP(C)/4986/2025

SAMSUL HOQUE AND 3 ORS.
VILLAGE- SANTOSHPUR, P.O.- TILAPARA, P.S.- CHAPAR, DIST- DHUBRI
(ASSAM), PIN-783348

2: CHAMAKBI BIBI
WIFE OF LT ANAR ALI
VILLAGE- SANTOSHPUR
P.O.- TILAPARA
P.S.- CHAPAR
DIST- DHUBRI (ASSAM)
PIN-783348

3: FORID UDDIN BHUYAN
SON OF LT INSAB ALI
VILLAGE- SANTOSHPUR
P.O.- TILAPARA
P.S.- CHAPAR
DIST- DHUBRI (ASSAM)
PIN-783348

4: CHAN MIYA SHEIKH
VILLAGE- CHARUA BAKHRA
P.O.- TILAPAR
P.S.- CHAPAR
DIST- DHUBRI (ASSAM)
PIN-78334

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI, PIN-781006

2:THE ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL)
REPRESENTED BY THE MANAGING DIRECTOR
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI-781008

3:THE DISTRICT COMMISSIONER
DHUBRI
P.O. AND P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

4:THE ADDITIONAL DISTRICT COMMISSIONER (REVENUE)
DHUBRI
P.O. AND P.S.- DHUBRI
DIST- DHUBRI
ASSAM
PIN-783301

5:THE CO-DISTRICT COMMISSIONER
BILARIPARA CO-DISTRICT
P.O. AND P.S.- BILASIPARA
DIST- DHUBRI
ASSAM
PIN-783348

6:THE ENGINEER
SUB DIVISIONAL BILASIPARA ELECTRICAL SUB DIVISION
P.O. AND P.S.- BILASIPARA
ASSAM
PIN-783348
DIST- DHUBRI

7:THE CIRCLE OFFICER
CHAPAR REVENUE CIRCLE
P.O. AND P.S- CHAPAR
DIST- DHUBRI
ASSAM
PIN-78337

Advocate for the Petitioner : MR H TALUKDAR, MR R I BHUYAN,MS. L WAJEEDA

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

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

ORDER

29-08-2025

Heard Ms. L. Wajeeda, learned counsel for the petitioners.

The petitioners claim to be patta holders of land in village Santoshpur under Chapar Revenue Circle in the district of Dhubri. There was an electricity connection to the houses of the petitioners. However, an eviction exercise was carried out on 08.07.2025 in which certain persons have been evicted whose residences were in the vicinity. In the said process the electricity has been disconnected from the houses of the petitioners.

Let **notice** be issued, returnable **by 6 (six) weeks**.

Ms. G. Hazarika, learned Standing Counsel, Revenue Department accepts notice on behalf of respondent no. 1, Shri K. P. Pathak, learned Standing Counsel, APDCL accepts notice on behalf of respondent nos. 2 & 6 whereas Shri J. Handique, learned State Counsel, accepts notice on behalf of respondent nos. 3, 4, 5 & 7.

Extra copies of the writ petition be served upon them within 2 (two) working days.

Ms. Wajeeda, learned counsel prays for an interim order.

Shri Pathak, the learned Standing Counsel has however submitted that electricity connection cannot be claimed as a matter of right and there are certain formalities and conditions which are required to be fulfilled.

Considering the above, the APDCL authorities are directed to immediately make an enquiry and if there are *prima facie* materials on the *bona fide* of the petitioners, electricity be resorted forthwith. The aforesaid order would however be subject to further order that may be passed after receipt of the instructions.

Pendency of this case shall not be a bar for the respondent authorities to carry out the activities towards the construction of the power plant by following the due process of law.

JUDGE

Comparing Assistant