

GAHC010206132025



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

Case No. : WP(C)/5497/2025

SABIR AHMED CHOUDHURY AND ORS
S/O- Lt. ABDUR RAZZAQUE CHOUDHURY.
R/O- VILLAGE- BANGRAM, P.O- BHAGA BAZAR, DISTRICT- CACHAR,
ASSAM, PIN- 788120.

2: GULAM MUHAMMED KIBRIA CHOUDHURY
S/O- LATE JALAL AHMED CHOUDHURY.
R/O- VILLAGE- BANGRAM
P.O- BHAGA BAZAR
DISTRICT- CACHAR
ASSAM
PIN- 788120.

3: G. M. JAKARIYA CHOUDHURY
S/O- LATE JALAL AHMED CHOUDHURY.
R/O- VILLAGE- BANGRAM
P.O- BHAGA BAZAR
DISTRICT- CACHAR
ASSAM
PIN- 788120.

4: GULAM MUHAMMAD YEAHYEA CHOUDHURY
S/O- LATE JALAL AHMED CHOUDHURY.
R/O- VILLAGE- BANGRAM
P.O- BHAGA BAZAR
DISTRICT- CACHAR
ASSAM
PIN- 788120.

5: KALIM SIDDIQUE CHOUDHURY
S/O- LATE JALAL AHMED CHOUDHURY.
R/O- VILLAGE- BANGRAM
P.O- BHAGA BAZAR
DISTRICT- CACHAR

ASSAM
PIN- 788120.

6: HUSNA BEGAM MAZUMDER
W/O- SAMSUL HOQUE MAZUMDAR.
R/O- ALITIKAR
MEHERPUR
CACHAR
ASSAM
PIN -788015

7: NAZMA LASKAR
W/O- SHAHARUR RAHMAN LASKAR.
R/O- VILLAGE- CHANDRAPUR PART- II
BANSKANDI
CACHAR
ASSAM- 788101

8: KHALEDA CHOUDHURY
W/O- TALHA AHMED LASKAR.
R/O- VILLAGE- TUPKHANA PART- I
ARUNACHAL
CACHAR
ASSAM
PIN-788025.

9: SAMSUN NEHAR CHOUDHURY
W/O- LATE JALAL AHMED CHOUDHURY.
R/O- VILLAGE- BANGRAM
P.O- BHAGA BAZAR
DISTRICT- CACHAR
ASSAM
PIN- 788120

VERSUS

THE UNION OF INDIA AND ORS
TO BE REPRESENTED BY THE SECRETARY, MINISTRY OF ROAD,
TRANSPORT AND HIGHWAYS, GOVT. OF INDIA, TRANSPORT BHAWAN,1,
PARLIAMENT STREET, NEW DELHI -110001

2:THE DEPUTY SECRETARY
MINISTRY OF ROAD
TRANSPORT AND HIGHWAYS
GOVT OF INDIA
TRANSPORT BHAWAN
1
PARLIAMENT STREET

NEW DELHI -110001

3:THE DISTRICT COMMISSIONER CUM COMPETENT AUTHORITY
DISTRICT - CACHAR
SILCHAR
ASSAM

4:THE ADDITIONAL DISTRICT COMMISSIONER (LAND AND REVENUE)
DISTRICT- CACHAR
SILCHAR
ASSAM

5:THE ASSISTANT SETTLEMENT OFFICER
SONAI REVENUE CIRCLE
DISTRICT- CACHAR
ASSAM

Advocate for the Petitioner : MR. M H LASKAR, MR. S ROY,MR H R A CHOUDHURY

Advocate for the Respondent : DY.S.G.I., GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 07.05.2026

Heard Mr. M.H. Laskar, learned counsel for the petitioners; Mr. H. Sarma, learned Additional Senior Government Advocate, Assam for the respondent nos. 3, 4 & 5.

2. The petitioners have claimed that they are land owners of a parcel of land, covered by Dag nos. 59 & 223 of Patta no. 35 and Dag no. 228 of Patta no. 33, situate at Village – Channighat, District – Cachar.

3. It is the case of the petitioners that in the process of land acquisition initiated for a project : 'Building [Widening/Four-Laning, etc.], maintenance, management and operation of NH-306 in the stretch of land from KM 20+000 to KM 49+360 in the District of Cachar' [the Project', for short] initiated by the Ministry of Road Transport and Highways [MoRT&H], Government of India [GoI] under the provisions of National Highways Act, 1956, two parcels

of land belonging to the petitioners have been brought under its purview. The petitioners have stated that altogether an area of land measuring 17 Khatas and 4 Chattaks have been acquired for the project. It is claimed that 10 Khatas of land falling with Dag no. 59 of Patta no. 35 have been acquired. In addition, 7 Khatas and 4 Chattaks from Dag no. 223 of Patta no. 35 and Dag no. 228 of Patta no. 33 have also been acquired for the Project. However, in the Notification published by the respondent MoRT&H, GoI, the name of the petitioners are not reflected in the list of beneficiaries for the entire 17 Khata and 4 Chattak.

4. Mr. Sarma, learned Additional Senior Government Advocate, Assam has pointed out that the implementing agency for the Project is 'National Highways & Infrastructure Development Corporation Limited [NHIDCL]' and therefore, the NHIDCL is a necessary party in this proceeding for adjudication of the issues raised by the petitioners in this writ petition.

5. In response, Mr. Laskar has submitted that he would file appropriate pleading for impleadment of the necessary parties including the NHIDCL, within 2 [two] weeks from today.

6. List the case after 2 [two] weeks on a date to be fixed by the office.

JUDGE

Comparing Assistant