

GAHC010207212016



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

Case No. : WP(C)/5682/2016

PATARKUCHI VILLAGE DEFENCE PARTY and ANR
REP. BY ITS PRESIDENT, VILL. PATARKUCHI, P.O. and P.S. BASISTHA, DIST.
KAMRUPM, ASSAM.

2: SRI DILIP KUMAR BHATTACHARYA
THE PRESIDENT OF PATARKUCHI VILLAGE DEFENCE PARTY

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE COMMISSIONER and SECRETARY TO THE GOVT. OF ASSAM,
DEPTT. OF REVENUE SETTLEMENT, DISPUR, GUWAHATI-781006.

2:THE DEPUTY COMMISSIONER
KAMRUPM
GUWAHATI - 781001.

3:THE CIRCLE OFFICER
DISPUR REVENUE CIRCLE
BASISTHA CHARIALI
GUWAHATI-781028.

4:SHRI GHANAKANTA KALITA
S/O. LATE DHAIRJYARAM KALITA
R/O. RIVER RESOURCES COLONY
BELTOLA
GUWAHATI-08.

5:SHRI KAVYA KANTA GOGOI
S/O. LATE UMA KANTA GOGOI
R/O. SOURAV NAGAR
BELTOLA
GUWAHATI-28.

6:SMTI. INDRANI GOGOI
W/O. SHRI KAVYA KANTA GOGOI
R/O. SOURAV NAGAR
BELTOLA
GUWAHATI-28

7:SHRI BIDYADHAR KUMBHAKAR
S/O. UNKNOWN
R/O. PATARKUCHI
BASISTHA
GUWAHATI-28.

8:SMTI. INDRA DEVI KUMBHAKAR
W/O. SHRI BIDYADHAR KUMBHAKAR
R/O. PATARKUCHI
BASISTHA
GUWAHATI-28

Advocate for the Petitioner : MR. A DEKA

Advocate for the Respondent : MS. M BHATTACHARJEE, (ADDL. SR. GA, ASSAM)

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

10.06.2022

Heard Mr. D.C.C. Phukan, learned counsel for the petitioners and Mr. H. Sarma, learned Addl. Senior Government Advocate for the respondent Nos. 2 & 3.

Mr. H. Sarma, learned Addl. Senior Government Advocate submits that the report of the Lat Mondal on the basis of which the notice impugned in the writ petition issued by the Circle Officer, Dispur Revenue Circle is not available on record and he submits that the same may be permitted to be brought on record by way of an affidavit.

Mr. D.C.C. Phukan, learned counsel for the petitioners submits that the land in

respect of which the impugned eviction notice was issued by the Circle Officer is not under his possession and the same is evident from the record on the basis of which the Circle Officer has issued the impugned notice.

Accordingly, let the matter be listed after 3 weeks.

A copy of this order be marked to Mr. H. Sharma, learned Addl Senior Government Advocate for furnishing it to the respondents.

JUDGE

Comparing Assistant