

GAHC010208832025



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

Case No. : WA/308/2025

BEDABRATA BORA
S/O LT RAMAKANTA BORA R/O VILL DHEKERI NARUA PO KUSUMTULA
DIST SONITPUR ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
REVENUE DEPTT DISPUR GUWAHATI 6

2:THE DISTRICT COMMISSIONER
SONTPUR
DIST SONITPUR ASSAM

3:THE ADDITIONAL DISTRICT COMMISSIONER SONITPUR
DIST SONITPUR ASSAM

4:THE CIRCLE OFFICER
SONITPUR REVENUE CIRCLE DIST SONITPUR ASSA

For the appellant : Mr. S. Borthakur, Advocate

For the respondents : Ms. N. Bordoloi, S.C., Revenue
Ms. S. Sarma,
Govt. Advocate, Assam

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

26-09-2025

(Ashutosh Kumar, C.J.)

The appellant has questioned the judgment dated 12.08.2025 passed by a learned Single Judge of this Court in WP(C) 5075/2016, whereby the challenge to the eviction notice to the appellants has not been sustained for the reason that the land in occupation of the appellants is a village grazing reserve land, which cannot at all be settled in favour of anyone in accordance with the judgment of the Supreme Court in ***Jagpal Singh & Ors. vs. State of Punjab & Ors., (2011) 11 SCC 396.***

However, after some arguments, the learned counsel for the appellants submits that he would be satisfied if the period for vacating the land in question is further extended to 60 days, to be counted from today.

Considering the fact that a tea garden had been set up over the land which the appellants were in possession for last several years, we are of the view that such a prayer can be conceded to.

The appellants would be required to vacate the land in question positively within 60 days, to be counted from today, failing which the respondent State shall be at liberty to take all coercive steps.

The writ appeal stands disposed off accordingly.

JUDGE

CHIEF JUSTICE

Comparing Assistant