

GAHC010209052025



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

Case No. : WP(C)/5554/2025

SULTAN ALI
S/O- LATE SURMAN ALI, R/O- VILL.- CHARUABAKHRA JONGAL BLOCK,
P.O. CHIRAKUTA, P.S. CHAPAR, DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, REVENUE AND DISASTER MANAGEMENT
DEPARTMENT, JANATA BHAWAN, ASSAM SECRETARIAT COMPLEX,
DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
PW DEPARTMENT (B)
DISPUR
GUWAHATI-781006.

3:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
POWER DEPARTMENT
DISPUR
GUWAHATI-781006.

4:THE ASSAM POWER DISTRIBUTION COMPANY LTD.

REPRESENTED BY THE CHAIRMAN
BIJULI BHAWAN
PALTANBAZAR
GUWAHATI-1.

5:THE DISTRICT COMMISSIONER
DHUBRI

DIST. DHUBRI
ASSAM

6:THE ADDL. DISTRICT COMMISSIONER
DHUBRI
DIST. DHUBRI
ASSAM

7:THE EXECUTIVE ENGINEER
PWD (B)
DHUBRI
DIST. DHUBRI
ASSAM

8:THE CIRCLE OFFICER
CHAPAR REVENUE CIRCLE
CHAPAR
DHUBRI
ASSA

Advocate for the Petitioner : MR. J AHMED, MS A HUSSAIN,R BEGUM,H G DAISY

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

Linked Case : WP(C)/5647/2025

AMZAD ALI
S/O LT. AHMED ALI
R/O VILL- CHARUABAKHRA JONGAL BLOCK
P.O.- CHIRAKUTA
P.S.- CHAPAR
DIST- DHUBRI
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)
DISPUR

GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
PW DEPARTMENT (B)
DISPUR
GUWAHATI-781006

3:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
POWER DEPARTMENT
DISPUR
GUWAHATI-781006

4:THE ASSAM POWER DISTRIBUTION COMPANY LTD.
REPRESENTED BY THE CHAIRMAN
BIJULI BHAWAN
PALTANBAZAR
GUWAHATI-1

5:THE DISTRICT COMMISSIONER
DHUBRI
DIST- DHUBRI
ASSAM
PIN-

6:THE ADDL. DISTRICT COMMISSIONER
DHUBRI
DIST- DHUBRI
ASSAM
PIN-

7:THE EXECUTIVE ENGINEER
PWD (B)
DHUBRI
DIST- DHUBRI
ASSAM
PIN-

8:THE CIRCLE OFFICER
CHAPAR REVENUE CIRCLE
CHAPAR
DHUBRI
ASSAM
PIN-

Advocate for : MR. J AHMED
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND 7 ORS.

Linked Case : WP(C)/5637/2025

SHAHADOT ALI
S/O- LATE SURMAN ALI

R/O- VILL- CHARUABAKHRA JONGAL BLOCK
P.O- CHIRAKUTA
P.S- CHAPAR
DIST- DHUBRI
ASSAM

VERSUS

THE STATE OF ASSAM AND OTHERS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI-781006
DIST- KAMRUP (M)

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT OF ASSAM

PWD DEPARTMENT
DISPUR
GUWAHATI-781006
DIST- KAMRUP (M)

3:THE PRINCIPAL SECRETARY
TO THE GOVT OF ASSAM

POWER DEPARTMENT
DISPUR
GUWAHATI-781006
DIST- KAMRUP (M)

4:THE ASSAM POWER DISTRIBUTION COMPANY LIMITED
REP. BY THE CHAIRMAN
BIJULI BHAWAN
PALTANBAZAR
GUWAHATI-01

5:THE DISTRICT COMMISSIONER
DHUBRI
ASSAM

6:THE DISTRICT COMMISSIONER
DHUBRI
ASSAM

7:THE EXECUTIVE ENGINEER PWD (B)
DHUBRI
ASSAM

8:THE CIRCLE OFFICER
CHAPAR REVENUE CIRCLE
DHUBRI
ASSAM

Advocate for : MR. J AHMED
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND OTHERS

Linked Case : WP(C)/5648/2025

AZAD ALI
S/O LT. JOSHIM UDDIN SHEIKH
R/O VILL- CHARUABAKHRA JONGAL BLOCK
P.O.- CHIRAKUTA
P.S.- CHAPAR
DIST- DHUBRI
ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)
DISPUR
GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
PW DEPARTMENT (B)
DISPUR
GUWAHATI-781006

3:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
POWER DEPARTMENT

DISPUR
GUWAHATI-781006

4:THE ASSAM POWER DISTRIBUTION COMPANY LTD.
REPRESENTED BY THE CHAIRMAN
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PALTANBAZAR
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DIST- DHUBRI
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DIST- DHUBRI
ASSAM

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PWD (B)
DHUBRI
DIST- DHUBRI
ASSAM

8:THE CIRCLE OFFICER
CHAPAR REVENUE CIRCLE
CHAPAR
DHUBRI
ASSAM
PIN-

Advocate for : MR. J AHMED
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND 7 ORS.

Linked Case : WP(C)/5613/2025

LALCHAND ALI AND ANR
S/O LT. CHURMAN ALI
R/O VILL- CHARUABAKHRA JONGAL BLOCK
P.O.- CHIRAKUTA
P.S.- CHAPAR
DIST- DHUBRI
ASSAM

2: RUPCHAND ALI
S/O LT. CHURMAN ALI
R/O VILL- CHARUABAKHRA JONGAL BLOCK
P.O.- CHIRAKUTA
P.S.- CHAPAR
DIST- DHUBRI
ASSAM
VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)
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8:THE CIRCLE OFFICER
CHAPAR REVENUE CIRCLE
CHAPAR
DHUBRI
ASSAM
PIN-

Advocate for : MR. J AHMED
Advocate for : SC
REVENUE appearing for THE STATE OF ASSAM AND 7 ORS.

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 16-03-2026

Heard Mr. J. Ahmed, learned counsel for the writ petitioners. Also heard Ms. M. Barman, learned Govt. Advocate, Assam appearing for the respondent Nos. 3, 5, 6 & 8.

Ms. Barman at the outset has raised a preliminary objection to the effect that the above noted writ petitions would not be maintainable in view of the efficacious alternative remedy available to the petitioner under the provisions of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short "the Act of 2013").

Mr. Ahmed, learned counsel for the petitioners submits that the petitioners in W.P. (C) No. 5554/2025 and W.P.(C) No. 5613/2025 have not filed any application in the matter invoking the provision of Section 64 of the said Act of 2013. However, the petitioners in W.P.(C) No. 5637/2025, W.P.(C) No. 5647/2025 and W.P.(C) No. 5648/2025 have already

filed requisite applications before the jurisdictional Collector. However, the respondent authorities after filing of the said appeal had again released to the petitioners certain further amounts. Accordingly, he prays that a fresh application, in the above noted writ petitions, would also be mandated to be so preferred.

In view of the above, Mr. Ahmed, prays that the above noted writ petitions be permitted to be withdrawn with liberty to the petitioner to approach the jurisdictional Collector by way of filing individual applications under Section 64 of the Act of 2013. Mr. Ahmed further prays that this Court would be pleased to direct the respondent authorities to consider the same on its own merit.

The prayer of the learned counsel for the petitioner is accepted.

The writ petitions stand dismissed on withdrawal, however, with liberty reserved to the petitioners to file appropriate applications within a period of 15 (fifteen) days from today before the jurisdictional Collector, invoking the provisions of Section 64 of the Act of 2013.

In the event of filing of such applications within 15 days from today, the Collector shall consider the same on its own merits and take appropriate action as provided under the provisions of Section 64 of the Act of 2013.

JUDGE

Comparing Assistant