

GAHC010212162025



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

Case No. : WA/299/2025

1. BHARATI KALITA
W/O LATE PARAMA KALITA

2: MONOJ KALITA
S/O LATE PARAMA KALITA

3: PANKAJ KALITA
LATE PARAMA KALITA

4: MIKUL KALITA
LATE PARAMA KALITA ALL ARE R/O VILL. BORPARA
P.O. AND P.S. BOKO DIST. KAMRUP (R) ASSAM

VERSUS

1. THE STATE OF ASSAM AND 4 ORS
REP BY THE PRINCIPAL SECY TO THE GOVT OF ASSAM, DEPTT OF
REVENUE AND DISASTER MANAGEMENT, DISPUR GUWAHATI 6

2: THE DIST. COMMISSIONER KAMRUP AMINGAON ASSAM.

3: THE ADDITIONAL DIST. COMMISSIONER KAMRUP AMINGAON ASSAM.

4: THE CIRCLE OFFICER BOKO REVENUE CIRCLE

5: PRANAB KALITA
S/O LATE PRANAB KALITA R/O VILL. BORPARA P.O. AND P.S. BOKO
DIST. KAMRUP (R) ASSAM

Linked Case : I.A.(Civil)/3124/2025

1. BHARATI KALITA AND 3 ORS
W/O LATE PARAMA KALITA

2: MONOJ KALITA
S/O LATE PARAMA KALITA

3: PANKAJ KALITA
LATE PARAMA KALITA

4: MIKUL KALITA
LATE PARAMA KALITA
ALL ARE R/O VILL. BORPARA P.O. AND P.S. BOKO
DIST. KAMRUP (R) ASSAM.

VERSUS

1.THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM
DEPTT. OF REVENUE AND DISASTER MANAGEMENT
DISPUR GUWAHATI 6

2:THE DIST. COMMISSIONER, KAMRUP, AMINGAON, ASSAM.

3:THE ADDITIONAL DIST. COMMISSIONER, KAMRUP, AMINGAON ASSAM.

4:THE CIRCLE OFFICER, BOKO REVENUE CIRCLE

5:PRANAB KALITA
S/O LATE PRANAB KALITA R/O VILL. BORPARA P.O. AND P.S. BOKO
DIST. KAMRUP (R) ASSAM.

For the Appellant(s)/Applicant(s) : Mr. S.P. Choudhury, Advocate.

For the Respondent(s) : Ms. N. Bordoloi, Standing Counsel, Revenue Department
for respondent No.1.

: Ms. S. Sarma, Government Advocate for respondent
Nos.2, 3 & 4.

- B E F O R E -

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

22.09.2025

(Ashutosh Kumar, CJ)

Heard Mr. S.P. Choudhury, learned Advocate for the

appellants/applicants.

Vide impugned judgment dated 22.08.2025 passed by a learned Single Judge in WP(C) No.4853/2025, the appellants were directed to avail the statutory remedy for apportionment of *Zirat* compensation under the provisions of National Highways Act, 1956, but without setting aside the order passed in that regard by the Additional District Commissioner, Kamrup, Amingaon, who is the competent authority for land acquisition.

Issue consolidated notice in the writ appeal as well as in the interlocutory application.

Notice on behalf of respondent No.1 is accepted by Ms. N. Bordoloi, Standing Counsel, Revenue Department and notice on behalf of respondent Nos.2 to 4 is accepted by Ms. S. Sarma, learned Government Advocate, Assam.

Issue notice to respondent No.5 by both modes, i.e. by registered post with A/D as well as by usual process, on steps being taken by the appellants/applicants within a period of 2(two) weeks, from today, returnable on 10.11.2025.

JUDGE

CHIEF JUSTICE

Comparing Assistant