

GAHC010099332024



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

Case No. : I.A.(Civil)/2048/2024

MESTER ALI PODDAR
SON OF LATE KHOSHAL PODDAR,
R/O- VILL- ALOMGANJ, PT. VII,
UNDER REVENUE CIRCE- GAURIPUR,
DIST- DHUBRI, ASSAM. PIN NO. 783339.

VERSUS

JAHANARA BEGUM AND ORS
D/O OF LT. SANTOSH ALI MULLAH W/O JABED ALI R/O- VILL- ALOMGANJ,
PT. VII, UNDER REVENUE CIRCE- GAURIPUR, DIST- DHUBRI, ASSAM. PIN
NO. 783339.

2:NAJINA KHATUN
D/O JABED ALI
R/O- VILL- ALOMGANJ
PT. VII

UNDER REVENUE CIRCE- GAURIPUR

DIST- DHUBRI
ASSAM. PIN NO. 783339.

3:AYESHA SIDDIKA @ KHATUN
D/O- JABED ALI
R/O- VILL- ALOMGANJ
PT. VII

UNDER REVENUE CIRCE- GAURIPUR

DIST- DHUBRI
ASSAM. PIN NO. 783339.

4:ELIMA KHATUN
D/O- JABED ALI
R/O- VILL- ALOMGANJ
PT. VII

UNDER REVENUE CIRCE- GAURIPUR

DIST- DHUBRI
ASSAM. PIN NO. 783339.

5:YEASMINUR PARBIN
D/O- JABED ALI
R/O- VILL- ALOMGANJ
PT. VII

UNDER REVENUE CIRCE- GAURIPUR

DIST- DHUBRI
ASSAM. PIN NO. 783339.
NO. 5 BEING MINOR
REPRESENTED BY HER MOTHER
THE PETITIONER NO. 1.

6:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
REVENUE DEPARTMENT
DISPUR
GUWAHATI- 781006
ASSAM.

7:THE DEPUTY COMMISSIONER
DHUBRI
DIST.- DHUBRI
ASSAM.

8:THE CIRCLE OFFICER
GAURIPUR REVENUE CIRCLE
GAURIPUR

Advocate for the Petitioner : A RAHMAN,

Advocate for the Respondent : GA, ASSAM, MS. S ROY

Linked Case : WP(C)/3621/2023

JAHANARA BEGUM AND 4 ORS
D/O OF LT. SANTOSH ALI MULLAH
W/O JABED ALI
R/O- VILL- ALOMGANJ
PT. VII

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D/O- JABED ALI

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PT. VII

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DIST- DHUBRI
ASSAM. PIN NO. 783339.
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REPRESENTED BY HER MOTHER
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VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
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2:THE DEPUTY COMMISSIONER
DHUBRI
DIST.- DHUBRI
ASSAM.

3:THE CIRCLE OFFICER
GAURIPUR REVENUE CIRCLE
GAURIPUR.

4:MESTER ALI PODDAR
SON OF LATE KHOSHAL PODDAR

R/O- VILL- ALOMGANJ
PT. VII

UNDER REVENUE CIRCE- GAURIPUR

DIST- DHUBRI
ASSAM. PIN NO. 783339.

5:ASAD ALI PODDAR
SON OF LATE KHOSHAL PODDAR

R/O- VILL- ALOMGANJ
PT. VII

UNDER REVENUE CIRCE- GAURIPUR

DIST- DHUBRI

ASSAM. PIN NO. 783339.

Advocate for : MRS. S ROY

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 4 ORS

Linked Case : WP(C)/5527/2023

JAHANARA BEGUM AND 4 ORS

D/O- LATE SANTOSH ALI MULLAH

W/O- JABED ALI

R/O- VILL.- ALOMGANJ

PT.-VIII UNDER REVENUE CIRCLE- GAURIPUR

DIST. DHUBRI

ASSAM

PIN- 783339.

2: NAJMINA KHATUN

D/O- JABED ALI

R/O- VILL.- ALOMGANJ

PT.-VIII UNDER REVENUE CIRCLE- GAURIPUR

DIST. DHUBRI

ASSAM

PIN- 783339.

3: AYESHA SIDDIKA @ KHATUN

D/O- JABED ALI

R/O- VILL.- ALOMGANJ

PT.-VIII UNDER REVENUE CIRCLE- GAURIPUR

DIST. DHUBRI

ASSAM

PIN- 783339.

4: ELIMA KHATUN

D/O- JABED ALI

R/O- VILL.- ALOMGANJ

PT.-VIII UNDER REVENUE CIRCLE- GAURIPUR

DIST. DHUBRI

ASSAM

PIN- 783339.

5: YEASMINUR PARBIN

(BEING MINOR IS REPRESENTED BY HER MOTHER

THE PETITIONER NO. 1)
D/O- JABED ALI
R/O- VILL.- ALOMGANJ
PT.-VIII UNDER REVENUE CIRCLE- GAURIPUR
DIST. DHUBRI
ASSAM
PIN- 783339.
VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
REVENUE DEPARTMENT
DISPUR
GUWAHATI-781006
ASSAM

2:THE DEPUTY COMMISSIONER
DHUBRI
DIST. DHUBRI
ASSAM

3:THE CIRCLE OFFICER

GAURIPUR REVENUE CIRCLE
GAURIPUR.

4:MESTER ALI PODDAR
S/O- LATE KHOSHAL PODDAR AND RESIDENT OF VILL.- ALOMGANJ PT.-
VII
UNDER REVEUE CIRCLE- GAURIPUR
DIST. DHUBRI
ASSAM
PIN- 783339.

5:ASAD ALI PODDAR
S/O- LATE KHOSHAL PODDAR AND RESIDENT OF VILL.- ALOMGANJ PT.-
VII
UNDER REVEUE CIRCLE- GAURIPUR
DIST. DHUBRI
ASSAM
PIN- 783339.

Advocate for : MR. S DUTTA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 4 ORS

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

19.11.2024

Heard the learned counsel for the parties.

This interlocutory application has been filed seeking vacation/modification of the order dated 23.06.2023 passed in WP(C) No. 3621 of 2023.

By earlier order dated 17.09.2024 passed in I.A (civil) No. 2048/2024 in W.P.(C) No. 3621/2023, the Court was directed the State to file affidavit either in the Interlocutory Application or in the connected writ petition.

Pursuant to the orders by the Circle Officer dated 01.09.2023 in Case No. GMC/Misc./2023/05, the Circle Officer, Gouripur Revenue Circle, Dhubri passed the order which is impugned in WP(C) No. 5527/2023. In the said writ petition, the State has already filed their counter affidavit.

The writ petitioner however is at liberty to file reply to the counter affidavit filed.

Accordingly, this Court is of the view that it will serve the purpose of the issues raised if the I.A. is heard along with writ petition.

Let the writ petition be listed for Admission hearing on 12.12.2024.

The parties are directed to complete their pleadings in the meantime.

Interim orders passed in the writ petition will continue till the next date of listing i.e. 12.12.2024.

List the matter accordingly.

JUDGE

Comparing Assistant