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

Case No. : WP(C)/5641/2025

MD. MANIK ALI ALIAS MANIK LAL SHEIKH AND ANR
S/O- LATE ROHIM BOX, R/O- VILL.- CHIRAKUTA PT.-I, P.O. CHIRAKUTA, PS.
CHAPAR, DIST. DHUBRI, ASSAM, PIN- 783348.

2: SOFIQUL ISLAM
S/O- MANIK LAL SHEIKH
R/O- VILL.- CHIRAKUTA PT.-I
P.O. CHIRAKUTA
PS. CHAPAR
DIST. DHUBRI
ASSAM
PIN- 783348

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, REVENUE AND DISASTER MANAGEMENT, DISPUR,
GUWAHATI-06.

2:THE DISTRICT COMMISSIONER AND COLLECTOR OF DHUBRI DISTRICT
AT DHUBRI.
P.O. AND DIST. DHUBRI
PIN- 783301.

3:THE ADDL. DISTRICT COMMISSIONER AND COMPETENT AUTHORITY
LAND ACQUISITION
DHUBRI DISTRICT AT DHUBRI
P.O. AND DIST. DHUBRI
ASSAM
PIN- 783301

Advocate for the Petitioner : MR. M A SHEIKH, MS. A BEGUM,MR M H CHOUDHURY,MS F
INTAZ

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

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

22-09-2025

Heard Shri M. A. Sheikh, learned counsel for the petitioners. Also heard Shri J. Handique, learned State Counsel as well as Ms. P. R. Mahanta, learned Standing Counsel, Revenue Department.

Considering the nature of the grievance and as agreed to by the learned counsel for the parties, the instant writ petition is disposed of at the motion stage.

The petitioners are aggrieved by a land acquisition proceeding initiated vide LA Case No. 2/2025-26 which has been initiated under the ***Assam Land (Requisition & Acquisition) Act 1964***. Amongst various grounds of challenge, the learned counsel has submitted that Section 3 read with Form A of the said Act have not been adhered to. He has also submitted that pursuant to the notice, the petitioners have submitted individual representations on various dates which, according to the petitioners, have not been considered or disposed of.

Shri Handique, learned State Counsel as well as Ms. Mahanta, the learned Standing Counsel have submitted that if such representations are actually not disposed of, a direction may be given for consideration and disposal of the representation in accordance with law. They have however stoutly refuted the submissions that there has been any violation of Section 3 or Form A appended thereto.

After hearing learned counsel for the parties, without giving into *inter se* merits of the case, it appears that representations were filed against the impugned notice which according to the petitioners have not been considered and disposed of.

If that be so, this Court directs the District Commissioner, Dhubri to take on board the representations of the petitioners (Annexures 3 to 4 of this writ petition) and after considering, dispose of the same in accordance with law. The said consideration and disposal be made expeditiously as it involves a project of public importance.

To balance the equities, it is provided that till such disposal is done by a speaking order, no coercive action be taken against the petitioners. This aforesaid direction would be operative only if in the meantime, the representations have not been disposed of.

JUDGE

Comparing Assistant