

GAHC010216482024



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

**Case No. : PIL/68/2024**

1: MOHAN CHANDRA MALAKAR AND ANR  
SON OF LATE RISHAB CHANDRA MALAKAR, RESIDENT OF VILLAGE- NO.  
1 HAJO, P.O. AND P.S.- HAJO, DISTRICT- KAMRUP, ASSAM.

2: TILAK CHANDRA DAS  
SON OF LATE UMESH DAS RESIDENT OF VILLAGE- NO. 1 HAJO  
P.O. AND P.S.- HAJO DISTRICT- KAMRUP ASSAM

VERSUS

1: THE STATE OF ASSAM AND 5 ORS. REPRESENTED BY COMMISSIONER  
AND SECRETARY TO THE GOVERNMENT OF ASSAM, REVENUE AND  
DISASTER MANAGEMENT DEPARTMENT, ASSAM SACHIVALAYA,  
GUWAHATI-6.

2: THE DISTRICT AND SESSION JUDGE  
KAMRUP(M) ASSAM GUWAHATI- 781001.

3: DISTRICT COMMISSIONER KAMRUP  
ASSAM AMINGAON GUWAHATI- 781031.

4: CIRCLE OFFICER HAJO REVENUE CIRCLE  
DISTRICT- KAMRUP ASSAM PIN -781102.

5: SIBA PRASAD SARMA  
DOLOI OF SHREE SHREE HAYAGRIVA MADHAB MANDIR TEMPLE  
MANAGING COMMITTEE HAJO DISTRICT- KAMRUP ASSAM PIN- 781102.  
RESIDING AT- HARABALA PATH (OPPOSITE BORA SERVICE) ULUBARI  
GUWAHATI-3.

6: PRESIDENT PANCHATIRTHA BARDEWRI SAMAJ  
HAJO DISTRICT- KAMRUP ASSAM PIN- 781102

**For the Petitioner(s)** : Mr. M.K. Choudhury, Senior Advocate, assisted by Ms. P. Sarma, Advocate.

**For the Respondent(s)** : Ms. N. Bordoloi, Standing Counsel, Revenue & Disaster Management Department for respondent No.1.  
: Mr. N.K. Sarma, Advocate on behalf of Mr. H.K. Das, Standing Counsel, Gauhati High Court for respondent No.2.  
: Mr. D.K. Sarmah, Additional Senior Government Advocate, Assam for respondent Nos.3 & 4.

**- B E F O R E -**

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

**01.04.2026**

*(Ashutosh Kumar, CJ)*

Let this matter come up for consideration on **19.05.2026**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**