

GAHC010218662025



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

**Case No. : WP(C)/5676/2025**

PRANOY SARMA  
S/O- LATE BINDU CHARAN SARMA,  
ASSAM

2: SMT. REENA DEVI SARMA  
AGED ABOUT 46 YEARS  
WIFE OF LATE BINDU CHARAN SARMA

3: SHRI RAKTIM SARMA

AGED  
ABOUT 27 YEARS  
SON OF LATE BINDU CHARAN SARMA

4: SHRI BIRENDRA KUMAR SARMA  
AGED ABOUT 68 YEARS  
SON OF LATE APARNA CHARAN SARMA

5: SHRI JOGESH SARMA

AGED ABOUT 67 YEARS  
SON OF LATE APARNA CHARAN SARMA

6: SMT. NAMITA DEVI

AGED ABOUT 62 YEARS  
DAUGHTER OF LATE BIJOY CHANDRA SARMA

7: SMT. PURNIMA DEVI  
AGED ABOUT 50 YEARS  
DAUGHTER-IN-LAW OF LATE BIJOY CHANDRA SARMA  
WIFE OF LATE KAMAL SARMA

8: SMT. NITU DEVI

AGED ABOUT 27 YEARS

9: SHRI ABHIJIT SARMA

AGED ABOUT 35 YEARS

SON OF LATE RABI SHANKAR SARMA

10: SMT. USHA DEVI

AGED ABOUT 58 YEARS

SON OF LATE RABI SHANKAR SARMA

11: SMT. KALPANA DEVI

AGED ABOUT 51 YEARS

12: . SMT. MANJU SARMA

AGED ABOUT 54 YEARS

WIFE OF LATE KALI SHANKAR SARMA

13: MISS CHANDRANI SARMA

DAUGHTER OF LATE KALI SHANKAR SARMA

BEING MINOR AND REPRESENTED BY PETIONER NO.12 BEING THE  
MOTHER AS NATURAL GUARDIAN.

14: . SHRI BHABA SHANKAR SARMA

AGED ABOUT 57 YEARS

SON OF LATE GAURI SANKAR SARMA

15: SHRI KAUSHIK SARMA BHARADWAJ

AGED ABOUT 30 YEARS

SON OF LATE JITEN SARMA

16: SMT. GINI SARMA

AGED ABOUT 65 YEARS

WIFE OF LATE JITEN SARMA

17: SMT. JAHNABI SARMA

AGED ABOUT 36 YEARS

DAUGHTER OF LATE JITEN SARMA

18: SMT. ARUNA DEVI

AGED ABOUT 74 YEARS  
WIFE OF LATE PANKAJ SARMA

ALL ARE RESIDENTS OF KAMAKHYA TEMPLE  
KAMAKHYA DHAM  
VTC- KAMAKHYA  
P. O. - KAMAKHYA  
IN THE KAMRUP METROPOLITAN DISTRICT ASSAM  
PIN - 78101

VERSUS

THE UNION OF INDIA AND OTHERS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,  
MINISTRY OF ROAD, TRANSPORT AND HIGHWAY, TRANSPORT BHAWAN,  
1, PARLIAMENT STREET, NEW DELHI-110001.

2:THE NATIONAL HIGHWAYS AUTHORITY OF INDIA (NHAI)  
MINISTRY OF ROAD  
TRANSPORT AND HIGHWAY  
GOVT. OF INDIA  
A COMPANY HAVING ITS REGISTERED OFFICE AT G-5 AND 6.  
SECTOR-10  
DWARKA NEW DELHI-110075  
REPRESENTED BY ITS CHAIRMAN.

3:MANAGING DIRECTOR  
THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT  
CORPORATION LIMITED (NHIDCL)

HAVING ITS OFFICE AND PRINCIPAL PLACE OF BUSINESS AT 3RD FLOOR  
PTI BUILDING  
4-PARLIAMENT STREET  
NEW DELHI-110001

4:THE STATE OF ASSAM  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM

DISPUR  
GUWAHATI-781006.

5:DISTRICT COMMISSIONER

KAMRUP  
AMINGAON  
PIN - 781031

6:CIRCLE OFFICER

PALASBARI REVENUE CIRCLE  
KAMRUP  
PIN - 781128

7:COMPETENT AUTHORITY FOR LAND ACQUISITION (CALA)

DISTRICT -KAMRUP  
ASSAM  
PIN-781031

8:KUSUM TALUKDAR  
WIFE OF LATE DINESH TALUKDAR

9:SRI RAMEN TALUKDAR  
SON OF LATE DINESH TALUKDAR

10:SRI RAMEN TALUKDAR  
SON OF LATE DINESH TALUKDAR

11:SMT. RUMI TALUKDAR  
DAUGHTER OF LATE DINESH TALUKDAR

12:SMT. DHARITRI TALUKDAR  
DAUGHTER OF LATE DINESH TALUKDAR  
NO. 8 TO 13 ARE THE RESIDENTS OF BONGRA  
N.H 37  
P.O. BONGRA  
P.S. PALASHBARI  
DISTRICT - KAMRUP  
ASSAM  
PIN 781015

13:SRI MAHENDRA TALUKDAR  
SON OF LATE BIPIN TALUKDAR  
RESIDENT OF MIRZA  
NEAR B.K.  
COLLEGE  
P.O. - MIRZA  
P.S.  
PALASHBARI  
DISTRICT - KAMRUP

ASSAM  
PIN 781125

14:SRI RABIN TALUKDAR  
SON OF LATE BIPIN TALUKDAR

RESIDENT OF MIRZA  
NEAR B.K.  
COLLEGE  
P.O. - MIRZA  
P.S.  
PALASHBARI  
DISTRICT - KAMRUP

ASSAM  
PIN - 781125

15:SRI BHABEN TALUKDAR  
SON OF LATE BIPIN TALUKDAR

16:SRI BHPEN TALUKDAR  
SON OF LATE BONGSHI TALUKDAR

17:SRI BIMAL TALUKDAR  
SON OF LATE BONGSHI TALUKDAR

18:SRI RATNESWAR TALUKDAR  
SON OF LATE UPEN TALUKDAR

19:SRI SABIN TALUKDAR  
SON OF LATE UPEN TALUKDAR

20:SRI MANINDRA TALUKDAR  
SON OF LATE UPEN TALUKDAR

21:SRI DIGANTA TALUKDAR  
SON OF LATE UPEN TALUKDAR

NO. 15 TO 21 ARE THE RESIDENT OF  
BONGRA  
N.H - 37  
P.O. BONGRA

P.S. PALASHBARI  
DISTRICT -  
KAMRUP  
ASSAM  
PIN - 78101

**Advocate for the Petitioner** : MR B DEORI, MR A KHANIKAR,MR. A C SARMA,MR G BHARADWAJ

**Advocate for the Respondent** : GA, ASSAM, DY.S.G.I.,SC, NHIDC,SC, NHAI

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

**ORDER**

**25.09.2025**

Heard Shri A.C. Sarmah, learned Senior Counsel assisted by Shri A. Khanikar, learned counsel for the petitioners.

The petitioners' grievance is with regard to the amount of compensation allotted to them as landlords for acquisition of the land for the National Highways.

It is submitted that there is a communication of the Circle Officer dated 27.03.2024 as per which it has been recorded that the petitioners had agreed to accept 30% of the total compensation. It is contended that such observation is without any authority of law as at no point of time, such concession was given by the petitioners.

Shri R.K. Talukdar, learned Standing Counsel, NHAI has however submitted that alternative and efficacious remedy lies in the National Highways Act 1956 and therefore this petition is not maintainable.

Be that as it may, let notice be issued, returnable by 6 (six) weeks.

Ms. M. Das, learned counsel appearing on instructions of Shri S.K. Medhi, learned CGC accepts notice on behalf of the respondent no. 1, Shri R.K Talukdar, learned counsel accepts notice on behalf of the respondent nos. 2 and 3 and Shri B.J. Talukdar, learned counsel accepts notice on behalf of the respondent nos. 4, 5, 6 and 7.

Extra copies of the writ petition be served upon the learned counsel for

the respondents within tomorrow.

Let steps be taken for service of notice upon the respondent nos. 8 to 21 by registered post with A/D.

Steps within 2 (two) working days.

Shri Sarmah, the learned Senior Counsel prays for an interim order.

While this Court is not inclined to pass a blanket interim order, it is provided that any payments made in the meantime shall be subject to further orders that may be passed in this petition.

**JUDGE**

**Comparing Assistant**