

GAHC010221242023



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

Case No. : WP(C)/5777/2023

INDIRA RONGPHARPI AND 3 ORS.
D/O- LATE NIHANG ROMGPHAR,
R/O- NEAR IRRIGATION OFFICE,
P.O- DIPHU,
P.S- DIPHU, DIST- KARBI ANGLONG, ASSAM, PIN-782460

2: ROSELYN TAROPI
D/O- LATE MOINA RONGPHARPI
R/O- BENJAMIN TARO GAON
P.O.- TARABASA
PS- HOWRAGHAT
PIN- 782482
KARBI ANGLONG
ASSAM.

3: JIRSONG TARO
S/O- LATE MOINA RONGPHARPI
R/O- BENJAMIN TARO GAON
PO- TARABASA
P.S.- HOWRAGHAT
PIN- 782482
KARBI ANGLONG
ASSAM.

4: MIRLYN TAROPI
D/O- LATE MOINA RONGPHARPI
R/O- BENJAMIN TARO GAON
PO- TARABASA
P.S.- HOWRAGHAT
PIN- 782482
KARBI ANGLONG
ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI- 781006.

2:THE KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
EAST KARBI ANGLONG DISTRICT- 782460
REPRESENTED BY ITS PRINCIPAL SECRETARY.

3:THE SECRETARY

DEPARTMENT OF REVENUE
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
KARBI ANGLONG- 782460.

4:THE JOINT SECRETARY

DEPARTMENT OF REVENUE
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
KARBI ANGLONG- 782460.

5:THE DEPUTY SECRETARY

I/C REVENUE
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU- 782460.

6:THE ASSISTANT REVENUE OFFICER
CUM-ASSISTANT SETTLEMENT OFFICER
PHULONI REVENUE CIRCLE
PHULONI
KARBI ANGLONG- 782441.

7:THE OFFICER IN CHARGE
UTTAR BORBIL POLICE OUT POST
LORINGTHEPI
KARBI ANGLONG-782481

8:SRI KANGBURA TIMUNG
S/O LT. SUKURAM TIMUNG
R/O KURNA BEY GAON
P.O. PHULONI
P.S. HOWRAGHAT
DIST. KARBIANGLONG-782441

9:SMT. KAMALSING TIMUNGPI
D/O LT. BORSING TIMUNG

R/O KURNA BEY GAON
P.O. PHULONI
P.S. HOWRAGHAT
DIST. KARBIANGLONG-782441

10:SRI JIRSONG TIMUNG
S/O LT. DEURI TIMUNG
R/O KURNA BEY GAON
P.O. PHULONI
P.S. HOWRAGHAT
DIST. KARBIANGLONG-782441

11:SRI BIREN TIMUNG
S/O LT. BORPATHAR TIMUNG
R/O KURNA BEY GAON
P.O. PHULONI
P.S. HOWRAGHAT
DIST. KARBIANGLONG-78244

Advocate for the Petitioner : MR. I CHOWDHURY SR ADV

Advocate for the Respondent : SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 11/10/2023

Heard Mr. I. Choudhury, learned senior counsel assisted by Mr. S. Viswakarma, learned counsel for the writ petitioners. Also hard Mr. J. Chutia, learned Standing Counsel, KAAC, appearing for the Karbi Anglong Autonomous Council. Ms. G. Hazarika, learned Standing Counsel, Revenue and DM Department, Assam as well as Mr. S. Baruah, learned Government Advocate, Assam, are present on behalf of the State respondents.

Mr. Choudhury submits that in terms of the order dated 29/09/2023 passed by this Court,

amended cause title has been filed in this writ petition after impleading the private respondents.

Mr. Chutia, on the other hand, submits that hearing in the matter in presence of the private respondents is fixed today.

Having regard to the facts and circumstances of this case, I am of the view that the hearing, as fixed by the departmental authorities, should take place by giving an opportunity to the private respondents and consequential order, if any, be also passed.

Facilitating the above, this writ petition is directed to be listed again on 15/11/2023, as a fixed item, for motion.

It is made clear that pendency of this writ petition shall not be a bar for the authorities to conduct the hearing on the prayer of demarcation of the land and pass consequential order therein after hearing the interested parties. However, such order shall not be implemented without the leave of the Court.

Interim order passed earlier to continue till the next date fixed.

JUDGE

sukhamay

Comparing Assistant