

GAHC010222252025



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

**Case No. : WP(C)/5816/2025**

NUR MAHAMMAD ALI AND 2 ORS  
SON OF AJAHAR ALI, RESIDENT OF VILL. -CHIRAKUTA, PART-I, P.O.-  
CHIRAKUTA, P.S.- CHAPAR, DISTRICT-DHUBRI, PIN-783348.

2: AHMED ALI  
SON OF AJAHAR ALI  
RESIDENT OF VILL.- CHIRAKUTA  
PART-I  
P.O.- CHIRAKUTA  
P.S.- CHAPAR  
DISTRICT- DHUBRI  
PIN-783348.

3: AJAHAR ALI  
SON OF SAHARUDDIN  
RESIDENT OF VILL. -CHIRAKUTA  
PART-I  
P.O.- CHIRAKUTA  
P.S.- CHAPAR  
DHUBRI  
ASSAM  
PIN- 783348

VERSUS

THE STATE OF ASSAM AND 3 ORS  
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, REVENUE AND DISASTER MANAGEMENT  
DEPARTMENT, DISPUR, GUWAHATI.

2:THE DISTRICT COMMISSIONER  
DHUBRI  
ASSAM

3:THE CIRCLE OFFICER  
CHAPAR REVENUE CIRCLE  
ASSAM

4:ASSAM POWER DISTRIBUTION COMPANY LIMITED (APDCL)  
THROUGH ITS MANAGING DIRECTOR  
GUWAHATI  
TO BE REPRESENTED BY ITS GENERAL MANAGER  
BIJULIBHABAN  
PALTANBAZAR  
GUWAHATI

**Advocate for the Petitioner** : MR. A R BHUYAN, MR N A MAZARBHUIYA,MR N Z  
CHOUDHURY,MR S ABDULLAH

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

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

**ORDER**

**26.09.2025**

Heard Shri A.R. Bhuyan, learned counsel for the petitioners, who are aggrieved by acquisition process which has been initiated under the Assam Land (Requisition and Acquisition) Act, 1964. It is the contention of the petitioners that they were allotted lands which have been acquired for the Thermal Power Project. The cause of action is however pertaining to a part of the land which, according to the petitioners is not a part of the project for which the acquisition process has been initiated.

Let notice be issued, returnable by 6(six) weeks.

Ms. P.R. Mahanta, learned Standing Counsel, Revenue Department accepts notice on behalf of the respondent no. 1 whereas Shri P.N. Goswami, learned Additional Advocate General accepts notice on behalf of the respondent nos. 2 & 3 and Shri K.P. Pathak, learned Standing Counsel, APDCL accepts notice on

behalf of the respondent no. 4. Extra copies of the writ petition be served upon the learned counsel for the respondents within two working days.

Shri Bhuyan, learned counsel for the petitioners prays for an interim order.

The law relating to acquisition of land is well settled and unless there is a case made out wherein there are violation of the statute, such acquisition process cannot be challenged and the only aspect is would be on the question of adequate compensation.

In view of the above, this Court is not inclined to pass any blanket interim order. It is needless to state that all the petitioners and the interested persons would be entitled to a fair and adequate compensation under the statute holding the field.

List this case after 6(six) weeks.

**JUDGE**

**Comparing Assistant**