

GAHC010233502023



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

Case No. : WP(C)/1123/2025

SUBHASH CHANDRA PODDAR
S/O LATE SUDHIR CH. PODDAR, VILL- PUAL PARA, WARD NO. 09, P.O.-
BONGAIGAON, P.S.-BONGAIGAON, DIST- BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,
GHY-6

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
RELIEF AND REHABILITATION DEPARTMENT
DISPUR
GHY-6

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GHY-6

4:THE DEPUTY COMMISSIONER
BONGAIGAON
P.O. AND DIST- BONGAIGAON
ASSAM

5:THE DDEPUTY COMMISSIONER
GOALPARA
P.O. AND DIST- GOALPARA
ASSAM

6:THE DEPUTY COMMISSIONER
DHUBRI
P.O. AND DIST-DHUBRI
ASSAM

7:THE CIRCLE OFFICER
BONGAIGAON REVENUE CIRCLE
P.O. AND DIST- BONGAIGAON
ASSAM

Advocate for the Petitioner : MR M H AHMED, MS. N SULTANA,MS K PAME,T PABIN,I AMIN

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 05.03.2025

Heard Mr. M.H. Ahmed, learned counsel for the petitioner; Ms. S. Baruah, learned Junior Government Advocate, Assam for the respondent nos. 1, 4, 5, 6 & 7; and Ms. G. Hazarika, learned Standing Counsel, Revenue & Disaster Management Department for the respondent nos. 2 & 3.

2. As per the case projected in the writ petition, a plot of land measuring 1 Katha 4 Lessas [01K-04L], within a parcel of land measuring 58 Bighas 3 Kathas 2 Lessas [58B-08K-05L] in Bongaigaon Housing Refugee Colony, was originally allotted in the name of the predecessor-in-interest/father of the writ petitioner, Sudhir Chandra Poddar. After the death of Sudhir Chandra Poddar, the petitioner being his legal heir, has pursued the matter. By a Letter dated 13.08.2015 [Annexure-11], the authorities have conveyed their decision to allot the land in favour of the petitioner on payment of a premium of Rs. 8,16,000/- for 01K-04L. The petitioner is before this Court alleging that the amount of premium demanded by the respondent is exorbitant and without any valid basis.

3. Ms. Baruah, learned Junior Government Advocate, Assam has prayed for some time to obtain instructions and to file affidavit indicating the basis on which the calculation of premium has been made in respect of the land in question.

4. Issue notice of motion, returnable in 4 [four] weeks.
5. Ms. Baruah has appeared and accepted notices on behalf of the respondent nos. 1, 4, 5, 6 & 7; and Ms. Hazarika has appeared and accepted notices on behalf of the respondent nos. 2 & 3, issuance of formal notices in respect of the said respondents stand dispensed with. The learned counsel for the petitioner shall serve requisite nos. of extra copies of the writ petition along with annexures, to Ms. Baruah and Ms. Hazarika within 2 [two] working days from today.
6. List this matter along with W.P.(C) No. 4227/2023 and W.P.(C) No. 4333/2023.
7. The name of learned Standing Counsel, Revenue Department be reflected in the respondents' side in the cause-list.

JUDGE

Comparing Assistant