

GAHC010239552024



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

Case No. : WP(C)/6072/2024

SOLEMAN ALI AND 4 ORS.
S/O- LATE NUR HUSSAIN, R/O- VILL.- KHANDIKAR, MOUZA- KAURBAHA,
DIST. TAMULPUR, ASSAM

2: RAFIQUDDIN AHMED
S/O- LATE NUR HUSSAIN
R/O- VILL.- KHANDIKAR
MOUZA- KAURBAHA
DIST. TAMULPUR
ASSAM

3: KHAIRUL HUSSAIN
S/O- LATE NUR HUSSAIN
R/O- VILL.- KHANDIKAR
MOUZA- KAURBAHA
DIST. TAMULPUR
ASSAM

4: MAHSIN ALI
S/O- LATE NUR HUSSAIN
R/O- VILL.- KHANDIKAR
MOUZA- KAURBAHA
DIST. TAMULPUR
ASSAM

5: ABDUL HAMID
S/O- LATE NUR HUSSAIN
R/O- VILL.- KHANDIKAR
MOUZA- KAURBAHA
DIST. TAMULPUR
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE EXECUTIVE ENGINEER
BTR
PWD (ROAD)
TAMULPUR
P.O. AND DIST. TAMULPUR
ASSAM

3:THE DISTRICT COMMISSIONER
TAMULPUR
P.O. AND DIST. TAMULPUR
ASSAM

4:THE CIRCLE OFFICER
GORESWAR REVENUE CIRCLE
P.O. GORESWAR
DIST. TAMULPUR
ASSAM

5:NUR UDDIN
S/O- LATE NIRPATIA SK
R/O- VILL.- KHANDIKAR
MOUZA- KAURBAHA
DIST. TAMULPUR
ASSAM
PIN- 781354

Advocate for the Petitioner : MR. P K ROYCHOUDHURY, MR. N HAQUE,MR. N G
KUNDU,MR. A K AZAD

Advocate for the Respondent : GA, ASSAM, SC, BTC,SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

20.11.2024

Heard Mr. P.K. Roychoudhury, learned counsel for the petitioners. Also heard Ms. S. Konwar, learned counsel for the respondent No.3, Ms. R.B. Bora, learned Standing Counsel for the respondent Nos. 2 and 4 and Ms. P.R. Mahanta, learned Standing Counsel for the Revenue Department.

The petitioners have preferred a representation dated 28.06.2024 before the Deputy Commissioner, Tamulpur. In the said representation they had prayed for stopping disbursement of money unless the settlement of dispute regarding the acquisition of land under Axom Mala Scheme is resolved. As per the said representation, the land was in the name of Nur Hussain and Nur Uddin Ali. After the demise of Nur Hussain names of his sons Soleman Ali, Rafiquddin Ahmed, Abdul Hamid, Mahsin Ali, Khairul Hussain and being impleaded right of inheritance. The mutated land is covered by Dag No. 1157 and Dag No. 646 under Patta No. 184. This land has not been partitioned and therefore the authority is required to decide the quantum of compensation to be distributed to the parties who claimed ownership of the said plot of land. This application according to the petitioners have remained pending and has not been disposed of.

The Government Counsel will obtain required instruction in the matter as to the status of the application.

Till the next date fixed, if the amount of compensation has not been disbursed in earlier then the same shall not be disbursed until the next date fixed.

Sufficient extra copies of the writ petition be furnished to the learned counsel for the respondent to complete their instructions in the matter.

List the matter accordingly on 27.11.2024.

JUDGE

Comparing Assistant