

GAHC010252842023



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

Case No. : WP(C)/927/2024

NAYAN PODDAR AND 2 ORS
S/O- LATE NARAYAN CH. PODDAR,
VILL- PUAL PARA, WARD NO -11,
P.O, P.S AND DIST- BONGAIGAON, ASSAM

2: KAJAL PODDAR
S/O- LATE NARAYAN CH. PODDAR

VILL- PUAL PARA
WARD NO -11

P.O
P.S AND DIST- BONGAIGAON
ASSAM

3: KRISHNA PODDAR
S/O- LATE NARAYAN CH. PODDAR

VILL- PUAL PARA
WARD NO -11

P.O
P.S AND DIST- BONGAIGAON
ASSA

VERSUS

THE STATE OF ASSAM AND 6 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR,
GUWAHATI-06

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

GUWAHATI-06

3:THE PRINCIPAL SECRETARY
TO THE GOVT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI-06

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

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

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

7:THE CIRCLE OFFICER
BONGAIGAON REVENUE CIRCLE

P.O AND DIST- BONGAIGAON
ASSA

Advocate for the Petitioner : MR M H AHMED

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

23.02.2024

Heard Mr. I. Amin, learned counsel for the petitioners; Mr. S.S. Roy, learned Junior Government Advocate, Assam for the respondent nos. 1, 4, 5, 6 & 7; and Ms. G. Hazarika, learned Standing Counsel, Revenue Department for the respondent nos. 2 & 3.

The petitioners, 3 [three] in nos., have stated that they are sons of Late Narayan Ch. Poddar and the petitioners' grandfather, Late Mrinal Kanti Poddar came to India from

erstwhile East Pakistan [now Bangladesh] during 1950s. it is the case of the petitioners that the petitioners' grandfather was given the status of refugee and the State Government in the Revenue Department allotted 66 nos. of refugee families including the petitioners' grandfather, to stay/settle in a plot of land situate at Bongaigaon. The place where the refugee families were sought to be settled is known as Bongaigaon Refugee Colony wherein the petitioners' grandfather was allotted a plot of land measuring 1 Katha. Seeking settlement of the said plot of land in favour of the petitioners, the petitioners have preferred the instant writ petition. The further grievance of the petitioner is that the respondent no. 4 by his letter dated 13.08.2015 conveyed the approval of the Sub-Divisional Land Advisory Committee, Bongaigaon to allot the said plot of land to the petitioners by fixing value @ Rs. 34 lakhs per Bigha, that is, Rs. 6,80,000/- for 1 Katha. It is the contention of the petitioners that the petitioners' grandfather had earlier paid some cost and thus, there is necessity of re-fixation of the value of the plot of land.

Issue notice, returnable in 4 [four] weeks.

As all the respondents have appeared and accepted notices through the respective learned counsel, no formal notice need to be issued to the respondents. The learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to the learned counsel for the respondents within 2 [two] working days from today.

List the case after 4 [four] weeks along with the writ petition, W.P.[C] no. 4181/2023 as the issues involved in the said writ petition are stated to be similar.

JUDGE

Comparing Assistant