

GAHC010255482023



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

**Case No. : WP(C)/6622/2023**

ANIL CHANDRA KALITA AND 2 ORS.  
S/O- LATE MADHURAM KALITA, R/O- VILL.- MAJIRGAON, P.O.  
MAGIRGAON, P.S. AZARA, DIST. KAMRUP(M), ASSAM

2: KANAK KALITA  
S/O- LATE BHUMIDHAR KALITA  
R/O- VILL.- MAJIRGAON  
P.O. MAGIRGAON  
P.S. AZARA  
DIST. KAMRUP(M)  
ASSAM

3: MOHINI KALITA  
D/O- LATE KAMESWAR KALITA  
R/O- VILL.- MAJIRGAON  
P.O. MAGIRGAON  
P.S. AZARA  
DIST. KAMRUP(M)  
ASSA

VERSUS

THE STATE OF ASSAM AND 15 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, REVENUE DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE DISTRICT COMMISSIONER CUM COLLECTOR

KAMRUP (METRO)  
HENGRABARI  
GUWAHATI-781006.

3:THE ADDITIONAL DISTRICT COMMISSIONER-IN-CHARGE

LAND ACQUISITION BRANCH  
KAMRUP (METRO)  
HENGRABARI  
GUWAHATI  
ASSAM-781006.

4:THE CIRCLE OFFICER

AZARA REVENUE CIRCLE  
AZARA  
KAMRUP(METRO)  
ASSAM-781017.

5:MD. MINAR ALI  
S/O- LATE MOBARAK ALI  
R/O- VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

6:LUTFAR RAHMAN  
S/O- MINAR ALI  
R/O- VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

7:MAKANI BIBI  
W/O- MD. HIKMAT ALI  
R/O- VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

8:HIKMAT ALI  
S/O- BASIR ALI  
R/O- VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

9:MD. SAUKAT ALI  
S/O- MANZIL ALI  
R/O- VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

10:ON THE DEATH OF MD. NAZIRUL ISLAM  
HIS LEGAL HEIRS  
10.1 RUMI BEGUM  
W/O- LATE NAZIRUL ISLAM

VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

10.2:SARLIN ISLAM  
D/O- LATE NAZIRUL ISLAM  
VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

10.3:NUR YASMIN ISLAM  
D/O- LATE NAZIRUL ISLAM  
VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

10.4:NAFIZ IQBAL ISLAM  
S/O- LATE NAZIRUL ISLAM  
VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

11:SAKIA SULTANA  
W/O- MD. MINAR ALI  
R/O- VILL.- GARAL  
LOWER MIRZAPUR  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM-781017.

12:KAMAL DAS  
S/O- LATE GOPAL BAISHYA  
R/O- VILL.- BHATTAPARA  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM  
PIN- 781017.

13:KRISHNA RAM DAS  
S/O- GOPAL BAISHYA  
R/O- VILL.- BHATTAPARA  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM  
PIN- 781017.

14:ON THE DEATH OF JADAB DAS  
HIS LEGAL HEIR  
14.1 BINAPANI DAS  
W/O- LATE JADAB DAS

R/O- VILL.- BHATTAPARA  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM  
PIN- 781017.

14.2:MRINMOI DAS  
S/O- LATE JADAB DAS  
VILL- BHATTAPARA  
P.O.- BHATTAPARA  
P.S- AZARA  
DIST.- KAMRUP (METRO)  
ASSAM-781017

15:BHUPEN DAS  
S/O- LATE GOBINDA DAS  
R/O- VILL.- BHATTAPARA  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM  
PIN- 781017.

16:RAMESH DAS  
S/O- LATE GOBINDA DAS  
R/O- VILL.- BHATTAPARA  
P.O. BHATTAPARA  
P.S. AZARA  
DIST. KAMRUP(METRO)  
ASSAM  
PIN- 781017.

17:SUBHASH BARUAH  
S/O- LATE DHARJYA BALA DAS  
VILL-GARAL (AMBORI)  
P.O.- BHATTAPARA  
P.S.- AZARA  
DIST.- KAMRUP (METRO)  
ASSAM-781017

18:KHAGEN BARUAH  
S/O- LATE DHARJYA BALA DAS  
  
VILL- GARAL (AMBORI)  
P.O.- BHATTAPARA  
P.S.- AZARA  
DIST.-KAMRUP (METRO)  
ASSAM-781017

19:ANIMA DAS  
D/O- LATE DHARJYA BALA DAS  
  
VILL-GARAL (AMBORI)  
P.O.- BHATTAPARA  
P.S.- AZARA  
DIST.- KAMRUP (METRO)  
ASSAM-781017

20:MANJU DAS  
D/O- LATE DHARJYA BALA DAS  
  
VILL- GARAL (AMBORI)

P.O.- BHATTAPARA  
P.S.- AZARA  
DIST.- KAMRUP (METRO)  
ASSAM-781017

21:MINA BORA  
D/O- LATE DHARJYA BALA DAS

VILL- GARAL (AMBORI)  
P.O.- BHATTAPARA  
P.S.- AZARA  
DIST.- KAMRUP (METRO)  
ASSAM-781017.

22:NIRU DAS  
D/O- LATE DHARJYA BALA DAS

VILL- GARAL (AMBORI)  
P.O.- BHATTAPARA  
P.S.- AZARA  
DIST.- KAMRUP (METRO)  
ASSAM-781017

**Advocate for the Petitioner** : MR P KALITA, MRS S GOSWAMI

**Advocate for the Respondent** : GA, ASSAM, MR. M J GOGOI (R 17-22),MR A K DAS (R 17 -22),P ADHIKARI(R-10 .1),G UDDIN (R-10 .1),MR. H BORA,MS P DEY (R-12, 13, 15, 16),MS. P AGARWALA (R-12, 13, 15, 16),MS. V RAI (R-12, 13, 15, 16),JYOTISH DAS (R-12, 13, 15, 16),MR. S P ROY (R-12, 13, 15, 16),P ADHIKARI (r-5 to 9,11),MR A K AZAD (r-5 to 9,11),G UDDIN (r-5 to 9,11),SC, REVENUE

**BEFORE**  
**HONOURABLE MR. JUSTICE KARDAK ETE**

**ORDER**

**08.05.2026**

Heard Mr. P. Kalita, learned counsel for the petitioners. Mr. G. Uddin, learned counsel for the respondent nos. 5 to 11, Mr. J. Das, learned counsel for the respondent nos. 12, 13, 15 and 16, Mr. A.K. Das, learned counsel for the respondent nos. 17 to 22 have submitted that they have already filed their respective affidavits-in-opposition.

Ms. G. Hazarika, learned standing counsel for the Revenue Department and Mr. J. Handique, learned State counsel are granted 3(three) weeks time to file their affidavit-in-opposition.

List the matter after 3(three) weeks.

**JUDGE.**

**Comparing Assistant**