

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:MD. NAZIRUL ISLAM
S/O- MD. MUBARAK ALI
R/O- 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:JADAB DAS
S/O- LATE GOPAL BAISHYA

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

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

Advocate for the Respondent : GA, ASSAM, 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
JOINT REGISTRAR (JUDL.) MR. CHINMOY BARUAH

ORDER

Date : 22.11.2024

Case taken up before the Lawazima Court.

Learned counsel Mrs. S. Goswami appears on behalf of the petitioners.

Learned counsel Ms. P. Adhikari appears on behalf of the respondent Nos. 5 to 9 & 11.

Perused the records.

On a perusal of the preceding Lawazima Court's order dated 05.04.2024 reveals that, vide the said order, the petitioners were directed to take fresh steps for service of notice upon the respondent Nos. 10, 12, 13, 14, 15 & 16 by registered post with A/D as well as by usual Court process.

However, it is apparent from the office note dated 22.11.2024 that the steps for issuance of notice to the aforesaid respondents have not been received by the concerned section till date.

Despite the aforesaid fact that the steps for issuance of notice have not been taken as of yet, it appears that the learned counsels have entered appearance on behalf of the respondent Nos. 12, 13, 15 & 16 by filling Vakalatnama. As such, it may be said that **service in respect of the respondent Nos. 12, 13, 15 & 16 has been completed.**

Since, no one has appeared on behalf of the respondent Nos. 10 & 14 till date, it may be said that service of notice is yet to be effected upon the said respondents.

In view of the above, the petitioners are directed to take fresh steps for service of notice upon the respondent Nos. 10 & 14 by registered post with A/D as well as by usual Court process through the office of the learned Civil Judge (Junior Division), Kamrup(M), within 7 (seven) days from the date of this order.

As it appears that a mention has been allowed for listing of the instant matter on 27.11.2024, the matter is laid before the Hon'ble Court.

Joint Registrar (Judicial)

Comparing Assistant