

GAHC010265402024



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

Case No. : WP(C)/6673/2024

MIRAJUL ISLAM AND 35 ORS.
S/O ABDUL RAUF, R/O VILL- JEWARI,
P.O. TELIACHAPARI, DIST- NAGAON, ASSAM.

2: HABIBUR RAHMAN
S/O HATEM ALI
R/O VILLAGE AND P.O.
TELIACHAPARI
DIST- NAGAON
ASSAM

3: JAYNAL ABDIN
S/O SAMSUDDIN AHMED

R/O VILL- JEWARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

4: ASHADUR RAHMAN
S/O AMAL UDDIN
R/O VILL- JARATHANI

P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.

5: HATEM ALI
S/O LATE INNAS ALI
R/O VILLAGE AND P.O.
TELIACHAPARI
DIST- NAGAON
ASSAM

6: HUSSAIN ALI
S/O LATE ABDUL BASHA
R/O VILL- KHANATUP
P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.

7: JESMINA KHATUN
W/O MAINUDDIN
R/O VILL- KHANATUP
P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.

8: MASUDA KHATUN
W/O NIKIBUR RAHMAN
R/O VILL- KHANATUP
P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.

9: ASMOTARA BEGUM
W/O ABDUL KHALEK
R/O VILL- KHANATUP
P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.

10: ANAR HUSSEN
S/O ABDUL RAOAF
R/O VILL- JEW MARI

P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.

11: NAJRUL ISLAM
S/O HATEM ALI
R/O VILL. AND P.O. TELIACHAPARI
DISTRICT- NAGAON
ASSAM.

12: RASHIDA KHATUN
W/O NUR MAHAMMAD

R/O VILL.JEWMARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

13: MOHAMMAD ALI
S/O LATE ABDUR RAHMAN

R/O VILL.AND P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

14: NUR BANU
W/O LATE ARSAB ALI
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

15: ABDUL KHALEK
S/O LT. SULTAN BHUYAN
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

16: FATEMA KHATUN
W/O ABDUL MALEK
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

17: SADEK ALI
S/O ALI HUSSAIN
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

18: HARUN RASHID
S/O ABUL HUSSAIN
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

19: AINUL HOQUE
S/O LT. MALEMADDIN
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

20: ABDUL KADIR
S/O LT. IMMAM UDDIN
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

21: MALEHA KHATUN
W/O LATE ALI ULLAH
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

22: HAZRAT ALI
S/O MATAB UDDIN
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

23: HELAL UDDIN
S/O JALAL UDDIN
RESIDENT OF-

VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

24: HOBIBUR RAHMAN
S/O HATEM ALI
RESIDENT OF VILLAGE AND P.O. TELIACHAPARI
DISTRICT- NAGAON
ASSAM.

25: ANISUR RAHMAN
S/O MATABUDDIN
RESIDENT OF VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

26: NOOR NABI
S/O LT. ABDUL SHAHID
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

27: AZIZUL ISLAM
S/O HATEM ALI
RESIDENT OF- VILLAGE AND P.O. TELIACHAPARI
DISTRICT- NAGAON
ASSAM.

28: MOJIBUR RAHMAN
S/O HUSSAIN ALI
RESIDENT OF- VILLAGE- JEW MARI
P.O. TELIACHAPARI
DISTRICT- NAGAON
ASSAM.

29: TAFJUL ISLAM
S/O ABDUL ROAF
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

30: AYSA KHATUN
W/O MALEMUDDIN
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

31: ATABUR RAHMAN
S/O AFAJ UDDIN
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

32: HABIBUR RAHMAN
S/O AFAJ UDDIN
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

33: MOJIBUR RAHMAN
S/O LT. MIA HUSSAIN
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

34: SARUFA KHATUN
W/O SHIRAJ UDDIN
RESIDENT OF-
VILLAGE- JEW MARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

35: ABDUL RAHMAN
S/O LATE ABDUL JABBAR
RESIDENT OF
VILLAGE- KHANTUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM.

36: FATEMA KHATUN
D/O MOHAMMAD ALI
RESIDENT OF
VILLAGE- KHANTUP
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM

VERSUS

THE STATE OF ASSAM AND 26 ORS.
TO BE REPRESENTED BY THE PRINCIPAL SECRETARY, PANCHAYAT AND
RURAL DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE COMMISSIONER OF PANCHAYAT AND RURAL DEVELOPMENT
DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-37.

3:THE DISTRICT COMMISSIONER
NAGAON

P.O. AND DISTRICT- NAGAON
ASSAM.

4:THE CHIEF EXECUTIVE OFFICER

NAGAON ZILLA PARISHAD
P.O. NAGAON
DIST- NAGAON
ASSAM.

5:THE BLOCK DEVELOPMENT OFFICER

RUPAHIHAT DEVELOPMENT BLOCK

P.O. RUPAHIHAT

DIST- NAGAON
ASSAM.
PIN-782125.

6:THE SECRETARY

JEWMARI GAON PANCHAYAT
P.O. TELIACHAPARI
DISTRICT- NAGAON
ASSAM
PIN- 782125.

7:ABDUL KADIR

S/O LT. ABDUL HASHIM
RESIDENT OF-
VILL. AND P.O. TELIACHAPARI
DIST-NAGAON

ASSAM. PIN- 782125.

8:NAJIMA KHATUN

W/O ABU BAKKAR
RESIDENT OF-
VILL. AND P.O. TELIACHAPARI
DIST-NAGAON
ASSAM. PIN- 782125.

9:ABBAS ALI

S/O LT. SURHAB UDDIN
RESIDENT OF-
VILL. AND P.O. TELIACHAPARI
DIST- NAGAON
ASSAM. PIN- 782125.

10:IKRAMUL HOQUE

MOCHAZIM
RESIDENT OF VILL.AND P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.
PIN- 782125.

11:TASLIMA KHATUN

W/O SULTAN UDDIN

RESIDENT OF-
VILL- TELIACHAPARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM
PIN-782125

12:AMANULLA

SAIFUL ISLAM
RESIDENT OF VILL- JEWARI

P.O. TELIACHAPARI
DIST-NAGAON
ASSAM.
PIN- 782125.

13:ABDUL HANNAN

S/O IBRAHIM ALI
RESIDENT OF
VILLAGE- JEWARI
P.O. TELIACHAPARI

DIST- NAGAON
ASSAM. PIN- 782125.

14:ATABUR RAHMAN

S/O TURAB AI
RESIDENT OF-
VILL. AND P.O. TELIACHAPARI
DIST-NAGAON

ASSAM. PIN- 782125.

15:HALIMA KHATUN

W/O CHAMS UDDIN
RESIDENT OF-
VILL. AND P.O. TELIACHAPARI
DIST-NAGAON

ASSAM. PIN- 782125.

16:MUZAHARUL ISLAM

S/O TURAB ALI
RESIDENT OF VILL. AND P.O.
TELIACHAPARI
DIST- NAGAON
ASSAM.
PIN- 782125

17:MASHUDA KHATUN

W/O JAKIR HUSSAIN
RESIDENT OF VILL.
AND P.O. TELIACHAPARI
DIST- NAGAON
ASSAM. PIN- 782125.

18:DULAL MIYA

S/O KUTUBUDDIN
RESIDENT OF VILL.
AND P.O. TELIACHAPARI
DIST- NAGAON

ASSAM. PIN- 782125.

19:SAFAR UDDIN

S/O LALMIYA
RESIDENT OF VILL.
AND P.O. TELIACHAPARI
DIST- NAGAON
ASSAM. PIN- 782125.

20:JAKIR HUSSAIN

S/O AFAJ UDDIN
RESIDENT OF VILL. AND
P.O. TELIACHAPARI
DIST- NAGAON
ASSAM. PIN- 782125.

21:ABDUR RASHID

S/O RAHMAT ULLAH
RESIDENT OF-
VILLAGE- KHANATUP
P.O. TELIACHAPARI

DISTRICT- NAGAON

ASSAM
PIN- 782125

22:FAKAR UDDIN

S/O JAMIR UDDIN
RESIDENT OF VILL. AND
P.O. TELIACHAPARI
DIST- NAGAON
ASSAM.
PIN- 782125.

23:SHIRAJ UDDIN

S/O ABDUL MANNAN
RESIDENT OF-
VILL- KHANATUP
P.O. TELIACHAPARI

DIST- NAGAON
ASSAM. PIN- 782125.

24:ABDUL GAFUR

S/O JAHUR
RESIDENT OF VILL. AND P.O.
TELIACHAPARI
DIST- NAGAON
ASSAM

PIN- 782125.

25:ASIA KHATUN

W/O GAFUR
RESIDENT OF VILL.AND P.O.
TELIACHAPARI
DIST- NAGAON
ASSAM

PIN-782125.

26:JEHIRUL ISLAM

S/O HAZRAT ALI
RESIDENT OF
VILL- JEWARI
P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM
PIN-782125

27:FATEMA KHATUN

W/O LT. MAJIBUR RAHMAN
RESIDENT OF-
VILL. AND P.O. TELIACHAPARI

DISTRICT- NAGAON
ASSAM
PIN-78212

Advocate for the Petitioner : MR. N HAQUE, MR K UDDIN,MR. S R BARBHUIYA,MR. A K AZAD

Advocate for the Respondent : GA, ASSAM, SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

13.12.2024

Heard learned counsel for the petitioner.

Issue Notice, returnable by 4 (four) weeks.

Mr. S. Dutta, learned Standing Counsel, Panchayat and Rural Development Department accepts notice on behalf of the respondent nos. 1, 2, 4, 5 & 6 and Ms. S. Konwar, learned Government Advocate, Assam accepts notice on behalf of the respondent no. 2.

Since the respondent nos. 1 to 6 are represented by their respective counsel, Notices are waived. However, extra copies be served to them within a period of 7 (seven) days from today.

Learned Government Advocate, Assam as well as learned Standing Counsel for the respondent nos. 1 to 6 may complete their instructions and file necessary affidavit, if so advised, in the meantime.

Steps on the respondent nos.7 to 27 shall be taken by registered post with A/D as well as by usual process within 1 (one) week from today.

Let the matter be listed after 4 (four) weeks.

JUDGE

Comparing Assistant