

GAHC010266172025



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

Case No. : WP(C)/6863/2025

SURAJIT RABHA
S/O- TANGUN RABHA,VILLAGE- GERUAPAR P.O.- DONGPAR DIST- BAKSA,
ASSAM- 781368.

VERSUS

THE BODOLAND TERRITORIAL COUNCIL AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, BODOLANDTERRITORIAL
COUNCIL (BTC), BODOLAND SECRETARIAT COMPLEX, BODOFA NWGWR,
KOKRAJHAR- 783371.

2:THE SECRETARY
BODOLAND TERRITORIAL COUNCIL (BTC)
ENVIRONMENT AND FOREST DEPARTMENT
BODOLAND SECRETARIAT COMPLEX
BODOFA NWGWR
KOKRAJHAR- 783371

3:THE ADDITIONAL CHIEF CONSERVATOR OF FOREST CUM CHD
BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR- 783371

4:THE DIVISIONAL FOREST OFFICER
BAKSA FOREST DIVISION
DEPARTMENT
MUSHALPUR
BTR
BAKSA- 78137

Advocate for the Petitioner : MD S HOQUE, MR J HUSSAIN,MR. M DEKA

Advocate for the Respondent : SC, BTC, SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR**

ORDER

13.02.2026

Heard Md. S. Hoque, learned counsel for the petitioner. Also heard Ms. B. Bhuyan, learned Senior Counsel assisted by Ms. R. Das, learned counsel for the BTC.

By the order dated 08.12.2025, this Court had noted the absence of proper instructions on the part of the respondents and had directed the respondent authorities to maintain the status quo with regard to Barnadi Sand Mahal No. 13 until further orders.

Today, Ms. Bhuyan has placed before this Court an instruction dated 11.02.2026 conveying the decision of the Executive Council to adopt the e-auction process for selling the mahals to successful bidders, referring to the Assam Minor Mineral Concession (Amendment) Rules, 2018, wherein competitive bids/open auctions have been replaced by the e-auction process. The instruction also refers to the orders passed by this Court on 29.10.2025 in WP(C) No. 6716/2021.

List this matter again on 23.02.2026, allowing time to Ms. Bhuyan to file her affidavit in response to the writ petition.

This Court has already noted the delay in the matter. The learned counsel for the petitioner has submitted that the utility of the sand mahal is limited to a particular season, which is now fast passing. Accordingly, the respondents are put on notice that in the absence of the affidavit-in-opposition on record by

23.02.2026, this Court may proceed to decide the matter based on the materials available before it.

JUDGE

Comparing Assistant