

GAHC010269092022



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

Case No. : WP(C)/8426/2022

BALEN KALITA AND 4 ORS
S/O- HARIDAS KALITA,
RESIDENT OF VILL. BOR TEZPUR, (NUW-VITHA),
MOUZA- RAMPUR, REVENUE CIRCLE- PALASHBARI,
P.S.- PALASHBARI, MIRZA,
P.O.- PALASHBARI, DIST- KAMRUP,
ASSAM, PIN- 781132.

2: DIPAK KALITA
S/O- LT. KAMALA KALITA

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(NUW-VITHA)

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4: SAILEN KALITA
S/O- HARIDAS KALITA

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5: SHANTI KALITA
C/O- LATE JAYRAM KALITA

RESIDENT OF VILL. BOR TEZPUR
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VERSUS

UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY,
MINISTRY OF RAILWAYS OF INDIA.

2:GENERAL MANAGER
N.F. RAILWAY HEADQUARTERS
MALIGAON
ASSAM.

3:THE STATE OF ASSAM
SECRETARY/ COMMISSIONER

DEPARTMENT OF LAND REVENUE

GOVT. OF ASSAM

DISPUR
GUWAHATI- 06
ASSAM.

4:THE DEPUTY COMMISSIONER

AMINGAON
KAMRUP
ASSAM.

5:THE ADDITIONAL DEPUTY COMMISSIONER (LAND ACQUISITION)
AMINGAON
KAMRUP
ASSAM.

6:LAND ACQUISITION OFFICER

OFFICE OF THE DEPUTY COMMISSIONER
AMINGAON
KAMRUP
ASSAM

Advocate for the Petitioner : MR. A K DAS

Advocate for the Respondent : DY.S.G.I.

Linked Case : I.A.(Civil)/1365/2023

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OFFICE OF THE DEPUTY COMMISSIONER
AMINGAON
KAMRUP
ASSAM.

Advocate for : MR. A K DAS
Advocate for : SC
RAILWAY appearing for UNION OF INDIA AND 5 ORS

Linked Case : I.A.(Civil)/844/2023

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Advocate for : DY.S.G.I. appearing for UNION OF INDIA AND 5 ORS

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 26.06.2024

Heard Mr. A. K. Das, learned counsel for the petitioners. Also heard Mr. N. Goswami, learned Government Advocate for the State respondents and Mr. H. Gupta, learned CGC for Central Government and A. Bhattacharjee, learned Standing Counsel for Revenue Department.

It appears that the petitioners have been evicted way back in 2007 and not a single penny has been paid till date.

It further appears that time and again instructions were called from the State respondents in this regard and in-fact on 14.06.2024, this Court by way of a last chance granted the State respondents to bring on record the information sought.

Regrettably today when the matter has been called, a letter dated 24.06.2024 received from the office of the Additional District Commissioner, Kamrup, Amingaon has been placed before this Court, whereby more time has been sought for submitting the requisite instruction.

This Court depreciates the casual approach of the State respondents in dealing with matters where the constitutional statutory and human rights are at stake.

However, before passing any adverse orders, this Court at the

assurance of Mr. N. Goswami, learned Government Advocate for the State respondents, provides further time to the State respondents to bring on record the instructions sought earlier. Further let the respondents, apprise this Court as regards the time frame within which the entire exercise of releasing the compensation to the petitioners can be released, on the next date of listing.

List this matter again on 17.07.2024.

Needless to clarify that failing any positive response from the respondents, this Court shall proceed with the writ petition in accordance with law.

JUDGE

Comparing Assistant