

GAHC010278552024



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

Case No. : WP(C)/467/2025

SONESH HOJAI AND 21 ORS
S/O JAYPURNA HOJAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO,ASSAM
PIN-788819

2: DISORON NONISA
S/O LT. NOHAM NONISA
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

3: JUGARAM JIDUNG
S/O LT. GONESHORON JIDUNG
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

4: JITENDRA LONGMALAI
S/O LONGKISWAR LONGMAILAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

5: RODESH LONGMALAI
S/O LONGKISWAR LONGMAILAI
R/O LONGKUKRO

P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

6: PRABIT DIBRA
S/O JATIN DIBRA
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

7: RAJEN ENGLENG
S/O ORIWEL ENGLENG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

8: SIMON TERANG
S/O LT.SANGREK TERON
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

9: ELISH TIMUNG
S/O SARTHE TIMUNG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

10: AGUSTINE RONGHANG
S/O LT.RAM RONGHANG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

11: JOSEP MILICK
S/O ABUL MILICK
R/O LONGKUKRO

P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

12: DARWELL RONGHI
S/O RAMSUNG RONGHI
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

13: TIMAJOS TERANG
S/O BIREN TERANG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

14: SARBONG TERON
S/OLT. MENSU TERON
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

15: BIREN TERANG
S/O LT. THARE TERANG
R/O CHOTO LARPHENG
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

16: LODESH JIDUNG
S/O SARGESH JIDUNG
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

17: MONJIT DAULAGUPA
S/O MOHON DAULAGUPA
R/O JEMBRU

P.O. AND P.S.HAFLONG

DIST.DIMA HASAO
ASSAM
PIN-788819

18: APHONJIT LANGTHASA
S/O MAIJARAM LANGTHASA
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

19: RANGKOL HOJAI
S/O RAM MOHAN HOJAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

20: RANJIT PHONGLO
S/O JOYBOLO PHONGLO
R/O THAOSENPUR
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

21: JOYPUENO HOJAI
S/O LATE LADON HOJAI
R/O LONGKUKRO
P.O.AND P.S. UMRONGSO
DIST.DIMA HASAO
ASSAM
PIN-788819

22: RANGNON LANGTHASA
S/O LT. DANTHAU LANGTHASA
R/O HAFLONG TOWN BLK IT (BAZAR)
P.O.AND P.S. HAFLONG
DIST. DIMA HASAO
ASSAM
PIN-78881

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPTT. DISPUR, GUWAHATI,
PIN-781006

2:THE NORTH CACHAR HILLS AUTONOMOUS COUNCIL (NCHAC)

REPRESENTED BY THE PRINCIPAL SECRETARY
(N)
HAFLONG
DIMA HASAO
PIN-788819

3:THE EXECUTIVE MEMBER

I/C SETTLEMENT AND REVENUE DEPARTMENT
NCHAC
HAFLONG

DIMA HASAO
PIN-788819

4:THE SECRETARY REVENUE
I/C SETTLEMENT AND REVENUE DEPARTMENT
NCHAC
HAFLONG

DIMA HASAO

PIN-788819

5:THE ADDITIONAL SECRETARY REVENUE DEPARTMENT

NCHAC
HAFLONG

DIMA HASAO
PIN- 788819

6:ASSISTANT REVENUE OFFICER

REVENUE DEPARTMENT

NCHAC
UMRANGSO
DIMA HASAO

PIN-788931.

7:M/S MAHABAL CEMENT PVT. LTD.
BL-C10
5TH FLOR
FL-504
B1-90A/A1 NEW B.B.T. ROAD

SARDENGABAD EDEN CITY
KOLKATA
WEST BENGAL
PIN- 700137
REGISTERED OFFICE ADDRESS- 7
COUNCIL HOUSE STREET

2ND FLOOR
KOLKATA
WEST BENGAL
PIN-70000

Advocate for the Petitioner : MR. A I KATHAR, MR. A RONGPHAR

Advocate for the Respondent : SC, REVENUE, A NEOG (R-7),G. GOSWAMI(R-7),SC, D H A
COUNCIL

Linked Case : **WP(C)/337/2025**

MAHABAL CEMENT PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE COMPANIES ACT
2013
HAVING ITS REGISTERED OFFICE AT 7 COUNCIL STREET 2ND FLOOR
KOLKATA
WEST BENGAL - 700001
REPRESENTED THROUGH ITS AUTHORISED SIGNATORY
SRI. MUKESH 50 GURJAR
AGED ABOUT 40
SON OF SRI. RAMJI LAL GURJAR

RESIDENT OF MAKSUDAN PURA
DIST. SAWAI
MADHOUPUR
RAJASTHAN
PIN-322033

VERSUS

THE STATE OF ASSAM AND 10 ORS

REP BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPT.
ASSAM SECRETARIAT
I-BLOCK
2ND FLOOR
DISPUR
GUWAHATI-7810066

2:DIRECTORATE GENERAL OF POLICE

ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:DIMA HASAO AUTONOMOUS COUNCIL

REPRESENTED BY ITS PRINCIPAL SECRETARY (N)
HAFLONG
DIMA HASAO
DISTRICT
ASSAM-788819.

4:THE SECRETARY REVENUE

I/C SETTLEMENT AND REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM- 788819

5:THE ADDITIONAL SECRETARY

REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

6:THE REVENUE OFFICER
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

7:SUPERINTENDENT OF POLICE
HAFLONG
DIMA HASAO DISTRICT

ASSAM
-788819

8:THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931

9:SRI SONESH HOJAI
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

10:SRI SAMARJIT NUNIA
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

11:SRI SABJAYNON JIDUNG
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

Advocate for : G. GOSWAMI
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 10 ORS

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

12-08-2025

Both these writ petitions are connected. While WP(C)/337/2025 has been filed by the Company, which has been allotted land for construction of a cement

factory the petitioners in WP(C)/467/2025 have alleged that they are being evicted from their lands in the Dima Hasao district which they are possessing lawfully.

A cursory glance into the facts of the case would reveal that the land which has been sought to be allotted is about 3000 Bighas which itself appears to be extra ordinary.

Ms. Goswami, the learned counsel has however submitted that such allotment has been made pursuant to a mining lease granted under a tender process.

This Court directs Shri C. Sarma, learned Standing Counsel, NCHAC to obtain the records containing the policy to allot such a huge chunk of land measuring 3000 Bighas to a factory. The aforesaid direction has been given by taking into account that the district is a 6th Scheduled District under the Constitution of India where the priority has to be given to the rights and interest of the tribal people residing there. Further, the area involved is Umrangso in the district of Dima Hasao which is known as an environment hotspot containing hot spring, stop over for migratory birds, wild life etc.

List on **01.09.2025**.

JUDGE

Comparing Assistant