

GAHC010286412025



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

Case No. : WP(C)/7461/2025

NUR MAHAMMAD
S/O ISMAIL ALI, VILL. - LONGJUMP 700 ACRE PADUMONI, MAUZA -
GORUBAT, P.O. - BARPANI, P.S. KOCHUA, DIST. - NAGAON ASSAM, PIN
-782426

VERSUS

THE STATE OF ASSAM
, REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
ENVIRONMENT AND FOREST DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM

GENERAL ADMINISTRATION DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM

REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI-6.

4:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS

ASSAM
PANJABARI
GUWAHATI-37.

5:THE CHIEF CONSERVATOR OF FORESTS

ASSAM

PANJABARI
GUWAHATI-37.

6:THE DIVISIONAL FOREST OFFICER

NAGAON DIVISION
NAGAON
PIN -782001.

7:THE DISTRICT COMMISSIONER

NAGAON DISTRICT
NAGAON
PIN -782001.

8:THE CIRCLE OFFICER

KAMPUR REVENUE CIRCLE
NAGAON
PIN - 782426.

9:THE OFFICER IN CHARGE

KACHUA POLICE STATION
NAGAON
PIN 78242

Advocate for the Petitioner : MS. S B CHOUDHURY, MS. M DAS,MR A N AHMED

Advocate for the Respondent : GA, ASSAM, SC, FOREST,SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

05.01.2026

Heard Ms. S. B. Choudhury, learned counsel for the petitioner. Also heard Mr. I. Borthakur, learned Standing Counsel, Forest Department.

2. The grievance of the petitioner is with regard to an eviction notice dated 21.11.2025 issued by the DFO, Nagaon. By the said notice, the petitioner was

directed to produce the documents to support his possession over the plots of land within a period of 15 days failing which he is to be evicted from the said land.

3. The learned counsel for the petitioner has submitted that he is in occupation of land in question since a long period of time and the same is not any reserved forest land. It is contended that the representation has been filed after the impugned notice which has not been considered.

5. Mr. I. Borthakur, learned Standing Counsel, Forest Department has submitted that adequate time was granted to the petitioner to show cause which does not appear to have been done and the land in question are reserved forest land. He has emphasized the requirement of making all forest land encroachment free which is also the mandate of the Hon'ble Supreme Court.

6. Considering the rival submissions and balancing the equities, irrespective of whether any reply has been filed earlier or not, let fresh replies be submitted against the Show Cause Notice within 22.01.2026 along with documents. If such replies are filed within the specified time, the same are required to be considered expeditiously in which the petitioner be given an opportunity of personal hearing. It is made clear that in case the reply is not filed within the time specified, the respondent authorities would be at liberty to proceed in accordance with law.

7. It is also provided that in case the consideration goes against the petitioner, further 15 days time be afforded to him to vacate the land in question failing which the authorities would have the liberty to take actions in accordance with law.

8. Accordingly, this writ petition stands disposed of.

JUDGE

Comparing Assistant