

GAHC010289102023



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

**Case No. : I.A.(Civil)/111/2024**

HEMANTA HAZARIKA AND 14 ORS  
SON OF LATE BENURAM HAZARIKA, RESIDENT OF MAHMARIA  
DAKARGHAT, DIST. NAGAON, ASSAM, PIN-782003.

2: SOURAV DEKA  
SON OF SRI RABINDRA NARAYAN DEKA  
RESIDENT OF VILL AND P.O. KAKAYA  
DIST.-NALBARI  
ASSAM  
PIN-781304.

3: HAYEN KR. WARY  
SON OF BANESWR WARY  
RESIDENT OF VILL-AMINGAON CHARIALI  
P.O. AMINGAON  
DIST.-KAMRUP  
ASSAM  
PIN-783370.

4: BHAGYASHREE HAZARIKA  
WIFE OF JOON BARUAH  
RESIDENT OF HOUSE NO.16  
NAMGHAR PATH  
HATIGAON  
GUWAHATI  
DIST. KAMRUP(M)  
PIN-781038.

5: DIPENDRA CH. BRAHMA  
SON OF UPENDRA BRAHMA  
RESIDENT OF KHARIDA SANDALA  
P.O. FAKIRAGRAM  
DIST. KOKRAJHAR

ASSAM  
PIN-783345.

6: TARANI DEKA

SON OF LATE DAYARAM DEKA  
RESIDENT OF BAGHARA (NASATRA)  
P.O. NASATRA  
DIST.-BARPETA  
ASSAM  
PIN-781307

7: YAHYA KHAN

SON OF MOULANA KIYAKAT ALI KHAN  
RESIDENT OF BASKANDI PT-II  
P.O. LAKHIPUR  
CACHAR  
ASSAM  
PIN-788101.

8: NACHIM AKTAR MAZUMDER  
SON OF NOOR AHMED MAZUMDER  
RESIDENT OF DUDPUR  
P.O. DUDPUR  
DIST. CACHAR  
ASSAM  
PIN-788025.

9: KABITA HAZARIKA  
WIFE OF BIRINCHI HAZARIKA  
RESIDENT OF TETELICHARA  
P.O. KAMPUR  
DIST.-NAGAON  
ASSAM  
PIN-782426.

10: CHANDAN BARMAN  
SON OF NARAYAN BARMAN  
RESIDENT OF CHAMATA  
DIST.- NALBARI  
ASSAM  
PIN-781306.

11: KUKIL DEKA  
SON OF LATE DEBEN DEKA  
RESIDENT OF PIPRAKUCHI  
DIGHIRPAR

SIPAJHAR  
DIST.-DARRANG  
ASSAM  
PIN-784144.

12: BALINDRA KUMAR HAZARIKA  
SON OF DIBYA KUMAR HAZARIKA  
RESIDENT OF FAUZDARIPATTY  
B. BORAH ROAD  
NAGAON  
DIST.-NAGAON  
ASSAM  
PIN-782001.

13: JONALI DAS  
WIFE OF BALEN DAS  
RESIDENT OF SIKARHATI  
P.O. PALASHBARI  
DIST.-KAMRUP  
ASSAM  
PIN-781125.

14: NIKHIL BAISNAB  
SON OF LATE KALICHARAN BAISNAB  
RESIDENT OF GOBINDANAGAR  
P.O. CHIRUKANDI  
DIST.-CACHAR  
ASSAM  
PIN-783345.

15: ASHOK BARMAN  
SON OF BIPLAB BARMAN  
RESIDENT OF RAMPUR  
BORKHULA  
DIST.-CACHAR  
ASSAM  
PIN-788110

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
FISHERY DEPARTMENT, DISPUR, GUWAHATI-06.

2:THE ASSAM FISHERY DEVELOPMENT CORPORATION

CHACHAL  
VIP ROAD

GUWAHATI-781036 REP. BY THE MANAGING DIRECTOR.

3:THE MANAGING DIRECTOR

ASSAM FISHERY DEVELOPMENT CORPORATION  
CHACHAL  
VIP ROAD  
GUWAHATI-781036

**Advocate for the Petitioner** : MR. N J KHATANAR

**Advocate for the Respondent** : GA, ASSAM

Linked Case : WP(C)/5534/2022

HEMANTA HAZARIKA AND 14 ORS  
SON OF LATE BENURAM HAZARIKA  
RESIDENT OF MAHMARIA DAKARGHAT  
DIST. NAGAON  
ASSAM  
PIN-782003.

2: SOURAV DEKA  
SON OF SRI RABINDRA NARAYAN DEKA  
RESIDENT OF VILL AND P.O. KAKAYA  
DIST.-NALBARI  
ASSAM  
PIN-781304.

3: HAYEN KR. WARY  
SON OF BANESWR WARY  
RESIDENT OF VILL-AMINGAON CHARIALI  
P.O. AMINGAON  
DIST.-KAMRUP  
ASSAM  
PIN-783370.

4: BHAGYASHREE HAZARIKA  
WIFE OF JOON BARUAH  
RESIDENT OF HOUSE NO.16  
NAMGHAR PATH  
HATIGAON  
GUWAHATI

DIST. KAMRUP(M)  
PIN-781038.

5: DIPENDRA CH. BRAHMA

SON OF UPENDRA BRAHMA  
RESIDENT OF KHARIDA SANDALA  
P.O. FAKIRAGRAM  
DIST. KOKRAJHAR  
ASSAM  
PIN-783345.

6: TARANI DEKA

SON OF LATE DAYARAM DEKA  
RESIDENT OF BAGHARA (NASATRA)  
P.O. NASATRA  
DIST.-BARPETA  
ASSAM  
PIN-781307

7: YAHYA KHAN

SON OF MOULANA KIYAKAT ALI KHAN  
RESIDENT OF BASKANDI PT-II  
P.O. LAKHIPUR  
CACHAR  
ASSAM  
PIN-788101.

8: NACHIM AKTAR MAZUMDER  
SON OF NOOR AHMED MAZUMDER  
RESIDENT OF DUDPUR  
P.O. DUDPUR  
DIST. CACHAR  
ASSAM  
PIN-788025.

9: KABITA HAZARIKA  
WIFE OF BIRINCHI HAZARIKA  
RESIDENT OF TETELICHARA  
P.O. KAMPUR  
DIST.-NAGAON  
ASSAM  
PIN-782426.

10: CHANDAN BARMAN  
SON OF NARAYAN BARMAN

RESIDENT OF CHAMATA  
DIST.- NALBARI  
ASSAM  
PIN-781306.

11: KUKIL DEKA  
SON OF LATE DEBEN DEKA  
RESIDENT OF PIPRAKUCHI  
DIGHIRPAR  
SIPAJHAR  
DIST.-DARRANG  
ASSAM  
PIN-784144.

12: BALINDRA KUMAR HAZARIKA  
SON OF DIBYA KUMAR HAZARIKA  
RESIDENT OF FAUZDARIPATTY  
B. BORAH ROAD  
NAGAON  
DIST.-NAGAON  
ASSAM  
PIN-782001.

13: JONALI DAS  
WIFE OF BALEN DAS  
RESIDENT OF SIKARHATI  
P.O. PALASHBARI  
DIST.-KAMRUP  
ASSAM  
PIN-781125.

14: NIKHIL BAISNAB  
SON OF LATE KALICHARAN BAISNAB  
RESIDENT OF GOBINDANAGAR  
P.O. CHIRUKANDI  
DIST.-CACHAR  
ASSAM  
PIN-783345.

15: ASHOK BARMAN  
SON OF BIPLAB BARMAN  
RESIDENT OF RAMPUR  
BORKHULA  
DIST.-CACHAR  
ASSAM  
PIN-788110.  
VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
FISHERY DEPTT.  
DISPUR  
GUWAHATI-06.

2:THE ASSAM FISHERY DEVELOPMENT CORPORATION

CHACHAL  
VIP ROAD  
GUWAHATI-781036 REP. BY THE MANAGING DIRECTOR.  
3:THE MANAGING DIRECTOR

ASSAM FISHERY DEVELOPMENT CORPORATION  
CHACHAL  
VIP ROAD  
GUWAHATI-781036.

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Advocate for : MR. N J KHATANIAR  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : WP(C)/5875/2022

PRIYANKA BHARALI AND 17 ORS  
D/O SHRI HRISHIKESH BHARALI  
R/O SUBHAM REGENCY  
4TH FLOOR  
HOUSE NO. 4E  
P.O.-HENGRABARI  
P.S.-DISPUR  
DIST-KAMRUP (M)  
ASSAM-781036

2: NILAKSHI DAS  
C/O PRANJAL BEZBARUAH  
R/O JAPORIGOG NEAR KARBI NAMGHAR  
PANCHARATNA PATH  
H.NO.-17  
GUWAHATI-781005  
P.O.-DISPUR  
P.S.-DISPUR  
DIST-KAMRUP(M)  
ASSAM

3: DHRUBA JYOTI DEKA

C/O SHRI AMBURAM DEKA  
R/O VILL-KATHALGURI  
P.O.-KATHIATALI  
P.S.-KAMPUR  
DIST-NAGAON  
ASSAM-782427

4: MRINMOY DEKA  
S/O SHRI NAGENDRA DEKA  
R/O VILL-OJAGAON  
P.O.-CHENGAPATHER  
DIST-UDALGURI  
ASSAM

5: PINKU MANE BORAH  
S/O SHRI SADA NANDA BORAH  
R/O VILL-MADHUPUR  
P.O.-MADHUPUR  
P.S.-SADAR  
DIST-NAGAON  
ASSAM-782003

6: JITJYOTI KALITA  
C/O SHRI RISHAB CH. KALITA  
R/O KRISHNANAGAR  
JAPORIGOG  
GUWAHATI  
DIST-KAMRUP(M)  
ASSAM-781005

7: TRIDEEP KR BORAH  
S/O ANIL CHANDRA BORAH  
R/O BELTOLA  
BHETAPARA  
P.O. AND P.S.-GOLAKGANJ  
DIST-KAMRUP (M)  
ASSAM-781028

8: PRANJAL DEKA  
S/O SHRI MADHAB CH. DEKA  
R/O CHANDMARI  
KRISHNANAGAR  
C/O DEKA STORE  
P.S. AND P.O.-CHANDMARI  
DIST-KAMRUP(M)  
ASSAM-781003

9: MRIGANKA DAS

S/O SHRI NARAYAN CHANDRA DAS  
R/O CHANDMARI  
NABAGIRI PATH  
GUWAHATI-3  
DIST-KAMRUP (M)  
ASSAM

10: NAYAN MONI DAS  
C/O SHRI NILKAMAL DAS  
R/O VILL-KHANAMUKH  
P.S.-JALUKBARI  
P.O.-GUWAHATI UNIVERSITY  
DIST-KAMRUP(M)  
ASSAM-781014

11: MANAB DEKA  
C/O LATE KANDARPA KR. DEKA  
R/O VILL-BELBARI (BAGHMARA)  
P.O.-BARKAPALA  
P.S.-SARTHEBARI  
DIST-BARPETA  
ASSAM-781307

12: JYOTI PRASAD NATH  
C/O SHRI KAMINI KUMAR NATH  
R/O NARENGI BONDA (NEAR FOREST CAMP)  
P.S.-NOONMATI  
P.O.-BONDA  
DIST-781026

13: RITALI TALUKDAR  
S/O KISHORE TALUKDAR  
R/O VILL-BAREIGAON  
P.O. AND P.S.-TAMULPUR  
DIST-BAKSA  
ASSAM-781367

14: MANAS JYOTI BARMAN  
S/O HAREN CH. BARMAN  
R/O VILL-TATIKUCHI  
P.O.-SONAFULLI  
P.S.-SALBARI  
DIST-BASKA-781318

15: SIDHARTH RAY  
C/O SHRI MRINAL KANTI RAY  
R/O VILL-SOUTH TOKRERCHARA PART-IV  
P.O. AND P.S.-GALAKGANJ

DIST-DHUBRI-783334

16: KISHORE MAHANTA  
S/O SHRI ABAINI MAHANTA  
R/O HOUSE NO. 74  
ANANDA NAGAR  
DR. BHUPEN HAZARIKA ROAD  
P.S. AND P.O.-NOONMATI  
GUWAHATI  
ASSAM-781020

17: PRAHLAD DAS  
C/O PARAMA DAS  
R/O VILL- NO-3 AMTALA  
P.O.-KUKURMARA  
P.S.-CHAIGAON  
DIST-KAMRUP(R)  
ASSAM-781130

18: KAKSHYAJIT BARUAH  
C/O SHRI DIMBESWAR BARUAH  
R/O VILL-LOZORA  
P.O.-BORIGAON NO. 2  
P.S.-SIPAJHAR  
DIST-DARANG  
ASSAM-784147  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
FISHERY DEPARTMENT  
DISPUR  
GUWAHATI-781006

2:THE ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM  
P.H.E  
WATER RESOURCES AND IT DEPARTMENT  
(CHAIRMAN OF THE ENQUIRY COMMITTEE) DISPUR  
GUWAHATI-781006

3:THE ASSAM FISHERIES DEVELOPMENT CORPORATION LIMITED  
(A GOVERNMENT OF ASSAM UNDERTAKING)  
CHACHAL  
VIP ROAD  
GUWAHATI-781036  
DIST-KAMRUP(M)  
ASSAM  
REPRESENTED BY ITS CHAIRMAN

4:THE MANAGING DIRECTOR  
ASSAM FISHERIES DEVELOPMENT CORPORATION LIMITED  
CHACHAL  
VIP ROAD  
GUWAHATI-781036  
DIST-KAMRUP(M)  
ASSAM

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Advocate for : MR. B D KONWAR SR. ADV.  
Advocate for : SC  
AFDC appearing for THE STATE OF ASSAM AND 3 ORS

Linked Case : WP(C)/6401/2022

MANIKA DAS AND 10 ORS  
W/O- SRI PRAMOD DAS  
R/O- VILL- SAURAGURI  
P.O. KACHUBARI  
P.S. TAMULPUR  
DIST.- BAKSA  
ASSAM- 781368

2: MINU SINGHA  
W/O- MR. NEERAJ MISHRA C/O- MR. K.P. SINGH  
BALIJANA  
P.O. AND P.S. AGIA  
DIST.- GOALPARA  
ASSAM- 783120  
PH.- 9435106784

3: ARPANA DAS  
D/O- SHRI TARANATH  
R/O- VILL- BHAILLABARI  
P.O. JAPIA  
P.S. HAJO  
DIST.- KAMRUP (R)  
ASSAM- 781382

4: RUPJYOTI DEKA  
S/O- SRI NAGEN CH. DEKA  
R/O- VILL- MAJORKURI  
P.O. RAMDIA  
P.S. HAJO  
DIST.- KAMRUP (R)  
ASSAM- 781102

5: RACHANA MEDHI  
D/O- KISHORI MAHAN MEDHI  
R/O- VILL- GHANDAL  
P.O. CHIPON CHILA  
DIST.- BONGAIGAON  
ASSAM- 783380

6: PRIYANKA DEVI  
D/O- SRI HARI CHANDRA NATH  
R/O- VILL- DOSOTANI  
P.O. GARUKHUTI  
P.S. SIPAJHAR  
DIST.- DARRANG  
ASSAM- 784145

7: ISRAFIL ALI  
S/O- LT. RAMJAN ALI  
R/O- VILL./TOWN DHANIA BHETI PATHAR  
P.O. LALUNGGAON  
P.S. BATADRAVA  
DIST.- NAGAON  
ASSAM- 782122

8: KHWMDWN NARZARY  
S/O- LT. RAMA KT. NARZARY  
R/O- VILL- KHAGRABARI  
P.O. BONGAIGAON  
DIST.- KOKRAJHAR  
ASSAM- 783347

9: SIMANTA RAY  
C/O- GOPAL CH. RAY  
R/O- VILL- FOFANGA  
P.O. BALBALA  
DIST.- GOALPARA  
ASSAM- 783120

10: ILAMANI NATH  
C/O- SRI UDHAB NATH  
R/O AND P.O. VILL- GAHIA  
DIST.- BARPETA  
ASSAM- 781311

11: THITUN KR. BRAHMA  
S/O- SRI RAHENDRA NATH BRAHMA  
R/O- VILL- GOYBARI  
P.O. DOTMA  
DIST.- KOKRAJHAR

ASSAM- 783347  
VERSUS

THE STATE OF ASSAM AND 3 ORS  
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
FISHERY DEPTT.  
DISPUR  
GHY-06

2:THE ADDL. CHIEF SECY. TO THE GOVT OF ASSAM  
PUBLIC HEALTH ENGINEERING  
WATER RESOURCES AND IT DEPTT.  
(CHAIRMAN OF THE ENQUIRY COMMITTEE) DISPUR  
GHY-06

3:THE ASSAM FISHERIES DEVELOPMENT CORPORATION LTD.  
(A GOVT. OF ASSAM UNDERTAKING) CHACHAL  
VIP ROAD  
GHY-36  
DIST.- KAMRUP (M)

ASSAM

REP. BY ITS CHAIRMAN

4:THE MANAGING DIRECTOR  
ASSAM FISHERIES DEVELOPMENT CORPORATION LTD.  
CHACHAL  
VIP ROAD  
GHY-36  
DIST.- KAMRUP (M)  
ASSAM

-----  
Advocate for : MR. B D KONWAR SR. ADV.

Advocate for : SC

AFDC appearing for THE STATE OF ASSAM AND 3 ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

Date : **26.06.2024**

List all these matters before any other Bench without me(N. Unni Krishnan Nair, J.).

**JUDGE**

**Comparing Assistant**