

GAHC010155212023



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

Case No. : I.A.(Civil)/113/2024

GAUTAM KUMAR
S/O- LATE KAYARAM KUMAR
R/O- VILLAGE SOLESALA
PACHONIA PARA
P.O- BANGORA
P.S- AZARA
PIN-781015
DIST- KAMRUP (R)
ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT.OF ASSAM
REVENUE DEPARTMENT DISPUR
GUWAHATI-6

2:THE DEPUTY COMMISSIONER
KAMRUP (R)
GUWAHATI

3:THE CIRCLE OFFICER
PALASHBARI REVENUE CIRCLE

4:RATNE KUMARI
W/O- LATE LAKHIRAM KUMAR
R/O- VILLAGE SOLESALA
PACHONIA PARA
P.O- BANGORA
P.S- PALASHBARI
PIN-781015

DIST- KAMRUP (R)
ASSAM

5:PRASANNA KUMAR
S/O- LATE LAKHIRAM KUMAR
R/O- VILLAGE SOLESALA
PACHONIA PARA
P.O- BANGORA
P.S- PALASHBARI
PIN-781015
DIST- KAMRUP (R)
ASSAM

6:NRIPEN KUMAR
S/O- LATE LAKHIRAM KUMAR
R/O- VILLAGE SOLESALA
PACHONIA PARA
P.O- BANGORA
P.S- PALASHBARI
PIN-781015
DIST- KAMRUP ®
ASSAM

7:THE STATE CHIEF INFORMATION COMMISSIONER
HOUSEFED COMPLEX
DISPUR
GUWAHATI-781006.

Advocate for : MR. I CHOUDHURY
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/4257/2023

GAUTAM KUMAR
S/O- LATE KAYARAM KUMAR,
R/O- VILLAGE SOLESALA, PACHONIA PARA,
P.O- BANGORA, P.S- AZARA,
PIN-781015,
DIST- KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT.OF ASSAM,
REVENUE DEPARTMENT
DISPUR, GUWAHATI-6

2:THE DEPUTY COMMISSIONER
KAMRUP (R)
GUWAHATI

3:THE CIRCLE OFFICER
PALASHBARI REVENUE CIRCLE

4:RATNE KUMARI
W/O- LATE LAKHIRAM KUMAR

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PIN-781015

DIST- KAMRUP (R)
ASSAM

5:PRASANNA KUMAR
S/O- LATE LAKHIRAM KUMAR
R/O- VILLAGE SOLESALA
PACHONIA PARA
P.O- BANGORA
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PIN-781015
DIST- KAMRUP (R)
ASSAM

6:NRIPEN KUMAR
S/O- LATE LAKHIRAM KUMAR

R/O- VILLAGE SOLESALA
PACHONIA PARA
P.O- BANGORA
P.S- PALASHBARI

PIN-781015
DIST- KAMRUP (R)
ASSA

Advocate for the Petitioner : MR. I CHOUDHURY

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 26.02.2024

Heard Mr. I. Choudhury, learned counsel for the applicant; Mr. A. Bhattacharya, learned Standing Counsel, Revenue Department for the opposite party no. 1; and Mr. N. Goswami, learned Junior Government Advocate, Assam for the opposite party nos. 2 & 3.

2. The applicant as the writ petitioner has preferred the connected writ petition, W.P.[C] no. 4257/2023. In the writ petition, the applicant-writ petitioner has alleged that the respondent authorities had illegally struck-off the name of the father of the applicant-writ petitioner from the Jamabandi [records of right] in respect of a plot of land, measuring 2 Katha 10 Lessas, covered by Dag no. 86 & Patta no. 16, situate at Village – Solesala, Mouza – Chayani, District – Kamrup [R], Assam and mutated the name of the predecessor of the private respondent therein. The instant interlocutory application is preferred seeking impleadment of the following authority :-

‘the State Chief Information Commissioner,
Housefed Complex, Dispur,
Guwahati – 781006’

as party-respondent no. 7 in the connected writ petition.

3. It is averred in the interlocutory application that the afore-mentioned

authority was not impleaded as a party-respondent in the connected writ petition due to inadvertence, though the presence of the proposed party-respondent would be necessary for adjudication of the issues involved in the writ petition.

4. The learned counsel for the opposite parties have submitted that they have no objection if the prayer for such impleadment is allowed.

5. Having regard to the submissions of the learned counsel for the parties and the statements and averments made in the instant interlocutory application, this Court is of the view that the presence of the afore-mentioned authority as a party-respondent in the connected writ petition appears necessary. Accordingly, the instant writ petition seeking impleadment of the afore-mentioned authority as party-respondent no. 7 is allowed.

6. The learned counsel for the applicant-petitioner shall submit an amended Cause-Title in terms of the Notification no. 79 dated 19.06.2023 before the Registry within 3 [three] working days from today. On submission of such amended Cause-Title, the Registry shall carry out the necessary corrections in the Cause-Title in the connected writ petition as well as in the CIS. The Registry to list the connected writ petition thereafter, in the motion column.

JUDGE

Comparing Assistant