

GAHC010009772016



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

**Case No. : WP(C)/1232/2016**

SHASANKA DEB CHOUDHURY  
S/O LT. SARADA CHARAN CHOUDHURY, R/O JHALUPARA, SILCHAR  
TOWN, P.S. SILCHAR, DIST- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REP. BY THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM,  
REVENUE AND DISASTER MANAGEMENT DEPTT., SETTLEMENT  
BRANCH, DISPUR, GHY-6

2:THE DIRECTOR OF LAND RECORDS and SURVEYS  
ASSAM  
RUPNAGAR  
GHY-32

3:THE DY. COMMISSIONER  
CACHAR  
SILCHAR

4:THE ADDL. DY. COMMISSIONER REVENUE  
CACHAR  
SILCHAR

5:THE SETTLEMENT OFFICER  
CACHAR  
SILCHAR

6:SRI TAPAN KUMAR SHARMA  
S/O LATE JITENDRA KUMAR SHARMA  
PARK ROAD  
OPPOSITE TENIS CLUB

SILCHAR-788001  
ASSA

**Advocate for the Petitioner** : MR.M C DAS

**Advocate for the Respondent** : MR.A DAS R-6

**BEFORE**  
**HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**Date : 20-02-2024**

Heard Mr. S.P. Choudhury, learned counsel for the petitioner. Also heard Ms. G. Hazarika, learned counsel for the respondent Nos. 1 and 2, Mrs. S. Sarma, learned Government Advocate for the respondent Nos. 3, 4 and 5 and Mr. S. Dutta, learned counsel for the respondent No. 6.

2. By filing this writ petition, the petitioner is canvassing the illegal and discriminatory action on the part of the respondents in not taking necessary action for settlement of the land in question in favour of the petitioner.

3. The facts of the case in brief are that the petitioner is a tenant of the subject land in respect of an annual patta which was granted to defendant No. 1 in Title Suit No. 110/2001. The subject land was thereafter converted to khas land on 26.08.2002 by the Assistant Settlement Officer, Sadar Revenue Circle, Silchar in N.R. Case No. 27/2002. Thereafter, the petitioner applied for settlement of the said land. Though on 24.03.2008 the Additional Deputy Commissioner (Rev), Cachar, Silchar has proposed to allot the said land in favour of the petitioner, nothing has been done till date.

4. I have heard the submissions made at the bar and have perused the materials available on records.

5. It appears from the letter dated 24.03.2008 that the Office of the Deputy Commissioner, Cachar, Silchar has already proposed to allot the subject plot of land in favour of the petitioner.

6. In view of the said proposal, this Court is of the opinion that there is no justification to keep this writ petition pending. As such, this writ petition is disposed of with a direction that the respondent No. 1 i.e. Commissioner & Secretary to the Government of Assam, Revenue and Disaster Management Department (Settlement Branch), Dispur, Guwahati shall consider the proposal in terms of the letter dated 24.03.2008 (Annexure-2) after giving opportunity to the writ petitioner and the private respondent.

7. It is desired that the said exercise would be completed within a period of three months from the date of receipt of certified copy of this order. The petitioner is directed to furnish the certified copy of this order to the respondent No. 1.

With the aforesaid observations and directions, this writ petition is disposed of.

**JUDGE**

**Comparing Assistant**