

GAHC010013282019



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

Case No. : WP(C)/499/2019

DIPAK CH. DAS AND 7 ORS.

S/O- LT BORODA KANTA DAS, R/O- VILL- SIMALUGURI, P.O. SIMALUGURI,
P.S. KACHUWA, DIST- NAGAON ASSAM, PIN- 782001

2: SRI SINIBASH BAISHYA

S/O- LT BROJODHAN BAISHYA

R/O- VILL- SIMALUGURI

P.O. SIMALUGURI

P.S. KACHUWA

DIST- NAGAON ASSAM

PIN- 782001

3: SRI AMALENDU DAS

S/O- LT SUHAG CHAND DAS

R/O- VILL- MORINUTI

P.O. PUTHIMARI BAZAR

P.S. KACHUWA

DIST- NAGAON

ASSAM

PIN- 782001

4: DILIP KR. DAS

S/O- LT BORODA KANTA DAS

R/O- VILL- SIMALUGURI

P.O. SIMALUGURI

P.S. KACHUWA

DIST- NAGAON ASSAM

PIN- 782001

5: SRI DEBASHISH DAS

S/O- SRI DIPAK CH. DAS

R/O- VILL- SIMALUGURI

P.O. SIMALUGURI

P.S. KACHUWA

DIST- NAGAON ASSAM
PIN- 782001

6: SRI GAURANGA DAS
S/O- LT HARENDRA KR. DAS
R/O- VILL- SIMALUGURI
P.O. SIMALUGURI
P.S. KACHUWA
DIST- NAGAON ASSAM
PIN- 782001

7: SRI JOY CHARAN BISWAS
S/O- LT KRISHNA RAM BISWAS
R/O- VILL- 1 NO. PUTHIMARI
P.O. PUTHIMARI BBAZAR
P.S. KACHUWA
DIST- NAGAON
ASSAM
PIN- 782001

8: SRI NILAM DAS
S/O- LT SUHAG CHAND DAS
R/O- VILL- MORINUTI
P.O. PUTHIMARI BAZAR
P.S. KACHUWA
DIST- NAGAON
ASSAM
PIN- 78200

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, LAND AND
REVENUE DEPTT., DISPUR, GHY-6

2:THE DY. COMMISSIONER
NAGAON
DIST- NAGAON
ASSAM
PIN- 782426

3:THE CIRCLE OFFICER
KAMPUR REVENUE CIRCLE
KAMPUR
DIST- NAGAON
ASSAM
PIN- 78242

For the Petitioner(s) : Mr. S. A. Ahmed, Advocate

For the Respondent(s) : Mr. B. J. Talukdar, Sr. Government Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 16.09.2024

Heard Mr. S. A. Ahmed, the learned counsel appearing on behalf of the Petitioners and Mr. B. J. Talukdar, the learned Senior Government Advocate appearing on behalf of the District Administration.

2. The Petitioners herein have approached this Court by raising a question as to whether the Circle Officer, Kampur Revenue Circle had the jurisdiction to issue notice in terms with Rule 18 of the Settlement Rules. Mr. B. J. Talukdar, the learned Sr. Government Advocate appearing on behalf of the District Administration has drawn the attention of this Court to Rule 3(ii) of the Settlement Rules and submitted that the Circle Officer is authorized to issue notice under Rule 18 of the Settlement Rules.

3. This Court having duly taken note of that the Circle Officer is authorized to issue the notice dated 20.12.2018 as mandated in Rule 3 of the Settlement Rules finds no merit in the instant writ petition for which the instant writ petition stands dismissed.

4. It is however observed that the Petitioners herein would be at liberty to submit representation before the Circle Officer, Kampur Revenue Circle stating that the Petitioners have a bona fide claim of right involved in respect to the land under their occupation. Under such circumstances, if

the Petitioners approach Circle Officer, Kampur Revenue Circle, the said Circle Officer, Kampur Revenue Circle shall decide the same in accordance with law and thereafter proceed in accordance with law.

JUDGE

Comparing Assistant