

GAHC010017152015



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

Case No. : WP(C)/3973/2015

TAPAN KUMAR DAS
S/O LT. JOGESH CH. DAS A RESIDENT OF ASTHA APARTMENTS, SURVEY,
BELTOLA ROAD, GUWAHATI-28.

VERSUS

THE STATE OF ASSAM AND 9 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
DEPARTMENT OF REVENUE, DISPUR, GUWAHATI- 781006.

2:THE DEPUTY SECRETARY TO THE
GOVT. OF ASSAM
REVENUE REFORMS and D.M. DEPARTMENT
ASSAM SECRETARIAT CIVIL
DISPUR
GUWAHATI- 781006.

3:THE DEPUTY COMMISSIONER
KAMRUP METROPOLITAN DISTRICT
GUWAHATI- 781001.

4:THE ADDITIONAL DEPUTY COMMISSIONER
KAMRUP METROPOLITAN DISTRICT
LAND REFORMS BRANCH
GUWAHATI- 781001.

5:THE CIRCLE OFFICER
DISPUR
REVENUE CIRCLE
BELTOLA
GUWAHATI- 781028.

6:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

DEPARTMENT OF HOME
DISPUR
GUWAHATI - 781006.

7:THE COMMISSIONER OF POLICE
POLICE COMMISSIONERATE
KAMRUP METRO
GUWAHATI- 78 1001.

8:THE OFFICER IN-CHARGE
BASISTHA POLICE STATION
BASISTHA
GUWAHATI- 781028.

9:SRI BAKUL DAS
S/O LT. DEBIRAM DAS R/O MILONPUR
BASISTHA PATH
BELTOLA
GUWAHATI - 781028

Advocate for the Petitioner : MR.R ISLAM

Advocate for the Respondent :

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH

O R D E R

08.01.2024.

Mr. R. De, learned counsel appearing on behalf of the petitioner submits against the settlement order granted in favour of the respondent Nos.9 & 10, the petitioner had already challenged the said settlement order before the Assam Board of Revenue, which was however dismissed for which the petitioner had already filed a Writ Petition being WP(C) No.6412/2023. The said Writ Petition is pending.

(2) The learned counsel for the petitioner further submits that as regards the other allegations which have been mentioned in the Writ Petition, the same would require entering into disputed questions of facts which can be adjudicated by a forum where disputed facts can be adjudicated. He therefore submits that he may be permitted to withdraw the Writ Petition without prejudice to his rights in WP(C) No.6412/2023 and also permitted to approach the appropriate forum in that regard.

(3) Taking into account the above submission, this Court closes the instant Writ Petition on withdrawal. However, withdrawal of the instant Writ Petition shall not in any manner prejudice the petitioner's rights in WP(C) No.6412/2023, as well as also debar the petitioner from approaching the appropriate Forum where the facts can be adjudicated.

JUDGE

Comparing Assistant