

GAHC010019542024



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

Case No. : WP(C)/525/2024

DIPAK SARMA
S/O- LT BHABEN SARMA,
R/O- VILL. SIVPUR,
P.O.- ABHAYAPURI,
P.S.- ABHAYAPURI,
DIST.- BONGAIGAON, ASSAM.

VERSUS

THE STATE OF ASSAM AND 6 ORS
THROUGH THE SECRETARY TO THE GOVERNMENT OF ASSAM,
REVENUE DEPARTMENT, DISPUR,
GUWAHATI- 781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
REVENUE DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE SETTLEMENT OFFICER
GOALPARA
P.O.- GOALPARA
DISTRICT- GOALPARA

ASSAM.

4:THE DEPUTY COMMISSIONER
BONGAIGAON
P.O.- BONGAIGAON
DISTRICT- BONGAIGAON

ASSAM.

5:THE ADDITIONAL DEPUTY COMMISSIONER
BONGAIGAON
P.O.- BONGAIGAON
DISTRICT- BONGAIGAON

ASSAM.

6:THE SUB-DIVISIONAL OFFICER
NORTH BONGAIGAON
DISTRICT- BONGAIGAON
ASSAM.

7:THE ASSISTANT SETTLEMENT OFFICER
SRIJANGRAM CIRCLE
ABHAYAPURI
DISTRICT- BONGAIGAON

ASSAM

Advocate for the Petitioner : MR H DAS

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

17.05.2024

Heard Mr. H. Das, learned counsel for petitioner. Also heard Mr. J. Handique, learned Government Advocate for the State respondents No. 3-7. Ms. N. Bordoloi, learned Standing Counsel, Revenue Department appears for the respondent Nos. 1 & 2.

2. It is submitted at the Bar that this case is squarely covered by the decisions of this Court in the case of ***Brindaban Choudhury and Anr Vs. State of Assam and 6 Ors.,*** in ***WP(C) No. 4594/2020*** and in the case of

Sashadhar Shil @Shashadhar Sil Vs. The State of Assam and 5 Ors. in ***WP(C) No.1374/2024***. It is further submitted at the Bar that the present writ petition can also be disposed of in terms of the aforesaid decisions of this Court.

3. In view of the aforesaid endorsement made by the learned counsels for the parties, this Court considering the fact that the petitioner is similarly situated to the petitioner in WP(C) No. 1374/2024, allows this writ petition in terms of the said decisions rendered by this Court in ***Brindaban Choudhury(supra)*** and ***Sashadhar Shil (supra)*** by granting liberty to the petitioner to approach the concerned respondent No. 4, i.e., the Deputy Commissioner, Bongaigaon seeking mutation in his name on the basis of his documents and the said authority shall deal with such applications in terms of the observations made in the order dated 09.02.2022 passed in WP(C) No.4594/2022 and order dated 03.05.2024 passed in WP(C) No.1374/2024.

4. With the aforesaid observations and directions the writ petition stands disposed of.

JUDGE

Comparing Assistant