

GAHC010047512021



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

Case No. : WP(C)/1653/2021

HORENDRA DOLEY
S/O SH. CHANDRA KANTA DOLEY, R/O VILL. AND P.O. UKHAMATI, P.S.
GOGAMUKH, DHEMAJI 787056, ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM, REVENUE DEPTT., DISPUR, GUWAHATI 781006, DIST. KAMRUP
(M), ASSAM.

2:THE DEPUTY COMMISSIONER
RAM NAGAR
DHEMAJI
ASSAM 787057

3:THE ADDL. DEPUTY COMMISSIONER
RAM NAGAR
DHEMAJI
ASSAM 78705

Advocate for the Petitioner : MR G J SAIKIA

Advocate for the Respondent : GA, ASSAM

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

08.04.2024.

Heard Mr. B. Choudhury, learned counsel for the petitioner. Also heard Ms. U. Das, learned Addl. Senior Government Advocate, Assam appearing for the State respondent.

2) By filing the present Writ Petition, the writ petitioner has assailed the illegal action on the part of the respondent in failing to comply with the directions of this Hon'ble Court, contained in the order dated 07.04.2010, in WP(C) No.1876/2010, whereby the respondents, more particularly the respondent No.1 was directed to decide on the proposal for settlement of the petitioner's land measuring 6 Bigha, covered by Dag No.8 (partly) and Dag No.486 (partly) under Mouza Bordoloni of Gogamukh Revenue Circle in Dhemaji District, in favour of the petitioner within six (6) months from the date of the order.

3) The grievance of the petitioner was that the respondent authorities despite of the aforesaid direction, was sitting over the representation of the petitioner for settlement of the subject land.

4) Today when the matter was listed, Ms. U. Das, learned Addl. Senior Government Advocate, Assam produced a copy of the instruction received from the Office of the District Commissioner, Dhemaji, dated 05.04.2024, to the effect that the land has already been settled with the petitioner and the petitioner has also submitted the premium for the said land.

5) Mr. B. Choudhury, learned counsel for the petitioner submits that nothing survives for adjudication in the present Writ Petition, in view of the said settlement.

- 6) It appears from the aforesaid instruction placed before this Court dated 05.04.2024, that the subject land has been settled in favour of the petitioner.
- 7) In view of the aforesaid settlement in favour of the petitioner, this Writ Petition can be disposed of with the direction to the State respondent to pass necessary consequential orders, to give effect to the above settlement in land of the petitioner.
- 8) It is needless to clarify that the aforesaid exercise shall be carried out within a period of two (2) months, from the date of receipt of the certified copy of this order.
- 9) With the aforesaid observations and directions, this Writ Petition stands disposed of.
- 10) A copy of the instruction dated 05.04.2024, produced by Ms. U. Das, learned Addl. Senior Government Advocate, Assam be kept on record and marked as 'X'.

JUDGE

Comparing Assistant