

GAHC010069582024



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

**Case No. : WP(C)/1858/2024**

CHANDAN DEB  
S/O- BHUPENDRA DEB, VILL.- AGIA PT.-II (ULUPARA), P.S. AGIA, DIST.  
GOALPARA, PIN- 783120.

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, DEPTT. OF  
LAND REVENUE ETC, DISPUR, GUWAHATI-781006.

2:THE DISTRICT COMMISSIONER

L.A. BRANCH  
GOALPARA (CALA)  
PIN- 783101.

3:THE DISTRICT DEVELOPMENT COMMISSIONER AND CALA

GOALPARA  
PIN- 783101.

4:THE CIRCLE OFFICER

P.O. BALIJANA  
P.S. AGIA  
DIST. GOALPARA  
ASSAM  
PIN- 783120.

5:THE UNION OF INDIA  
REPRESENTED BY THE SECRETARY  
GOVT. OF INDIA

DEPTT.OF NHAI  
DELHI-11.

6:THE DEPUTY GENERAL MANAGER (P)

NHIDCL  
PMU  
BONGAIGAON  
ASSAM  
PIN- 783385

**Advocate for the Petitioner** : MR. A ROSHID, MS. T BEGUM

**Advocate for the Respondent** : GA, ASSAM, SC, NHAI,SC, REVENUE

**BEFORE**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**Date : 06.09.2024**

Heard Mr. A Roshid learned counsel for the petitioner.

The present petition is filed claiming zirat compensation against a Mandir and other properties constructed over a plot of land under Dag No.363, village – Agia Pt. II (Ulupara) revenue village and demolished for construction of national highways.

An affidavit has been filed by the CALA, taking a specific stand that an enquiry has been made as regards claim of zirat compensation by the petitioner and it was found that the structure, Mandir belonging to the petitioner was constructed over Dag no.363, Agia Pt. II, Revenue village falling within RoW of 21 meter (required for current work) is recorded in chita copy as N.H. Road i.e., land acquired earlier NH-17 (old NH-37).

In the backdrop of aforesaid stand the learned counsel for the petitioner submits that there are some disputed questions of fact and

therefore he may be allowed to withdraw the present writ petition with a liberty to approach the competent court to agitate his grievance as regards claim of zirat compensation for the aforesaid plot of land.

In view of the aforesaid, the writ petition stands closed with a liberty to the petitioner as prayed for.

**JUDGE**

**Comparing Assistant**