

GAHC010079132024



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

**Case No. : WP(C)/2147/2024**

ASSAM INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION  
LTD.

REPRESENTED HEREIN BY ITS MANAGING DIRECTOR,  
ADDRESS- OFFICE OF THE ASSAM INDUSTRIAL INFRASTRUCTURE  
CORPORATION LTD.,  
INDUSTRIAL ESTATE, BYE LANE NO. 3,  
BAMUNIMAIDAM, GUWAHATI, PIN- 781021,  
KAMRUP(M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS  
REPRESENTED HEREIN BY ITS DISTRICT COMMISSIONER CUM  
COLLECTOR, KAMRUP(RURAL),  
GOVERNMENT OF ASSAM,  
ADDRESS- OFFICE OF THE DISTRICT COMMISSIONER, KAMRUP (RURAL),  
DC OFFICE ROAD, NAMATI JALAH,  
AMINGAON, PIN- 781039, ASSAM.

2:THE ADDITIONAL DISTRICT AND SESSIONS JUDGE  
ADDRESS- OFFICE OF THE ADDITIONAL DISTRICT AND SESSIONS JUDGE  
KAMRUP (RURAL)

DC OFFICE ROAD  
NAMATI JALAH  
AMINGAON

PIN- 781039  
ASSAM.

3:MAMIR ALI  
S/O- LATE FAJIL ALI

ADDRESS- VILL- 2 NO. JAMBARI

P.S.- BOKO  
DIST- KAMRUP(R)

ASSAM  
PIN- 781141.

4:ALAMGIR HUSSAIN  
S/O- LATE ABDUL ALI  
ADDRESS- VILL- 2 NO. JAMBARI

P.S.- BOKO  
DIST- KAMRUP(R)

ASSAM  
PIN- 781141

Advocate for the petitioner(s) : Mr. S. Chamaria

Advocate for the respondent(s): Mr. R. Borpujari,  
Ms. S. Baruah

**BEFORE  
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**Date : 22.07.2024**

Heard Mr. S. Chamaria, the learned counsel appearing on behalf of the petitioner and Ms. S. Baruah, the learned counsel appearing on behalf of the respondent No. 1.

2. The instant writ petition has been filed by the petitioner challenging the reference proceeding been registered as LA Reference Case No. 08/2023 which was registered pursuant to the Reference made by the respondent No. 1 to the Court of the District and Sessions Judge, Kamrup (Rural) in terms with Section 12 of the Assam Land Requisition and Acquisition, Act, 1964. The acquisition proceedings has been challenged before this Court on the ground that the same is beyond the period of limitation as stipulated in Section 65 of the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. This Court duly takes note of Section 12 of the Assam Land (Requisition and Acquisition) Act, 1964 which does not stipulate any period of limitation. Taking into consideration that the acquisition proceedings was initiated and concluded in terms with the Act of 1964, the instant proceedings challenging the Reference proceedings being LA Reference Case No. 08/2023 is totally misconceived. Accordingly the instant petition stands dismissed being devoid of any merits.

**JUDGE**

**Comparing Assistant**