

GAHC010125062017



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

Case No. : WP(C)/1728/2017

PABITRA BORO
S/O. LT. HARI GAONBURAH @ HARI BORO, VILL. TETELIA, P.O.
GANDHINAGAR, P.S. KHETRI, DIST. KAMRUP M, ASSAM, PIN-782402.

VERSUS

THE STATE OF ASSAM and 4 ORS.
REP. BY THE COMM. and SECY. TO THE GOVT. OF ASSAM, REVENUE
DEPTT., DISPUR, GHY.-06.

2:THE DY. COMMISSIONER and COLLECTOR

KAMRUP METROPOLITAN DIST.
GHY.-781001.

3:THE ADDL. DY. COMMISSIONER

KAMRUP METROPOLITAN DIST.
LAND ACQUISITION BRANCH
GHY.-781001.

4:THE SUB DIVISIONAL OFFICER SADAR CUM SETTLEMENT OFFICER

KAMRUP M
GUWAHATI.

5:THE CIRCLE OFFICER

SONAPUR REVENUE CIRCLE
SONAPUR
DIST. KAMRUP M
ASSAM.

6:THE NATIONAL HIGHWAY AUTHORITY OF INDIA

For the petitioner (s) : Mr. R. Sarma, Advocate

For the respondent (s) : Mr. H. Sarma, Addl. Sr. GA

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

04.10.2024

Mr. R. Sarma, the learned counsel appearing on behalf of the petitioner submits that taking into account the stand taken at paragraph No.8 of the affidavit filed by the respondent No.2, the petitioner would be well advised to approach the respondent authorities for claiming the compensation which has been lying undisbursed.

2. Mr. H. Sarma, the learned Additional Senior Government Advocate submits that in the circumstance the petitioner approaches the respondent authorities and show the document of title or any interest over the land in question to fall within the ambit of person interested in respect to the said acquisition, the Office of the District Commissioner, Kamrup (M) would have no objection in releasing the undisbursed amount.

3. Taking into account the above, the instant writ petition stands disposed of therefore granting the petitioner to approach the Office of the District Commissioner, Kamrup (M) to claim undisbursed amount. However, in doing so the petitioner shall show the basis on which the petitioner claims the said amount.

4. It is further observed that upon the petitioner approaching, the

Office of the District Commissioner, Kamrup (M) shall disburse the said amount if satisfied on the basis of the document(s) placed and if such application is rejected, the same be rejected by way of a speaking order.

JUDGE

Comparing Assistant