

GAHC010125902015



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

Case No. : WP(C)/7995/2015

DIPENDRA ADHIKARI and 7 ORS.

S/O LT. SRI UPENDRA ADHIKARI and LT. SMT. CHINMOYEE ADHIKARI AND
GRAND SON OF LT. SRI RADHIKA NANDA CHOUDHURY and LT. SMT.
SAROJ KUMARI CHOUDHURY, R/O H/NO.129, ADHIKARI HOUSE,
CHINMOYEE ADHIKARI PATH, BYE LANE NO.4, GOPINATH NAGAR, GHY-
16, DIST- KAMRUP METRO, ASSAM

2: RAJIB CHERAIN

S/O LATE DR. PREM JOHN CHERIAN AND LATE DR. RAMALA ADHIKARI
(CHERIAN) AND GRAND SONS AND DAUGHTER OF LATE SRI UPENDRA
ADHIKARI AND LATE CHINMOYEE ADHIKARI AND GREAT GRAND-SONS
OF LATE RADHIKA NANDA CHOUDHURY AND LATE SMT. SAROJ KUMARI
CHODHURI

3: SANDEEP CHERIAN

S/O LATE DR. PREM JOHN CHERIAN AND LATE DR. RAMALA ADHIKARI
(CHERIAN) AND GRAND SONS AND DAUGHTER OF LATE SRI UPENDRA
ADHIKARI AND LATE CHINMOYEE ADHIKARI AND GREAT GRAND-SONS
OF LATE RADHIKA NANDA CHOUDHURY AND LATE SMT. SAROJ KUMARI
CHODHURI

4: GAYATRI CHERIAN

D/O LATE DR. PREM JOHN CHERIAN AND LATE DR. RAMALA ADHIKARI
(CHERIAN) AND GRAND SONS AND DAUGHTER OF LATE SRI UPENDRA
ADHIKARI AND LATE CHINMOYEE ADHIKARI AND GREAT GRAND-SONS
OF LATE RADHIKA NANDA CHOUDHURY AND LATE SMT. SAROJ KUMARI
CHODHURI

5.1: ON THE DEATH OF MANIKA ADHIKARI

HER LEGAL HEIRS

MRS. BANASHREE BOSE BANERJEE

W/O SRI CHAMPAK BANERJEE

GOPINATH NAGAR

129 ADHIKARI HOUSE
GUWAHATI-781016
DIST KAMRUP(M)
ASSAM

5.2: MRS. JAYASHREE BOSE DAS
W/O SRI AVINANDAN DAS

GOPINATH NAGAR
129 ADHIKARI HOUSE
GUWAHATI-781016
DIST KAMRUP(M)
ASSAM

6: NAMITA ADHIKARI
W/O LATE JOTIRMOY KAKATI
DAUGHTER OF LATE SRI UPENDRA ADHIKARI AND LATE SMT.
CHINMOYEE ADHIKARI AND GRAND DAUGHTER OF LATE SRI RADHIKA
NANDA CHOUDHURY AND LATE SMT. SAROJ KUMARI CHOUDHURY

7: MRS. ANIMA ADHIKARI
W/O MR. PALLAB BOSE
D/O LATE SRI UPENDRA ADHIKARI AND LATE SMT. CHINMOYEE
ADHIKARI AND GRAND DAUGHTER OF LATE SRI RADHIKA NANDA
CHOUDHURY AND LATE SMT. SAROJ KUMARI CHOUDHURY
NOS. 2 TO 6 AT PRESENT RESIDENTS OF NEAR ISKON MANDIR
ULUBARI
GUWAHATI 781007
BEING REPRESENTED BY APPLICANT NO. 1 SRI DIPENDRA ADHIKARI
BEING POWER OF ATTORNEY HOLDE

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
REVENUE DEPTT., DISPUR, GHY-6

2:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GUWAHATI 781006

3:THE REGISTRAR GENERAL OF THE HONBLE GAUHATI HIGH COURT
MAHATMA GANDHI ROAD
GUWAHATI 781001

4:THE DEPUTY COMMISSIONER CUM LAND ACQUISITION OFFICER
KAMRUP (M)

MAHATMA GANDHI ROAD
PANBAZAR
GUWAHATI 78100

For the Petitioner(s) : None appears.

For the Respondent(s) : Ms. M. Barman, Jr. Government Advocate
: Mr. R. Borpujari, SC, Revenue Department
: Mr. T. J. Mahanta, Sr. Advocate, GHC

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 29.11.2024

None appears on behalf of the Petitioners on call.

2. Heard Mr. R. Borpujari, the learned Standing counsel appearing on behalf of the Revenue Department, Government of Assam and Mr. T. J. Mahanta, the learned Sr. Advocate who appears on behalf of the Gauhati High Court. I have also heard Ms. M. Barman, the learned Jr. Government Advocate appearing on behalf of the District Administration.

3. The case of the Petitioners herein is that a writ of mandamus has been issued directing the Respondent Authorities to make payment of the compensation to the Petitioners.

4. It is seen that an affidavit has been filed by the Revenue Department on 03.04.2023 wherein it has been categorically mentioned that no land of the Petitioners have been acquired for construction of the Judges' Quarter at Kharguli. It is further seen that there is no rebuttal to the same.

5. Under such circumstances, it seems that the Petitioners have lost interest in the instant proceedings and as such, none has appeared for the Petitioners.

6. Taking into account the above, this Court therefore closes the instant writ petition on the ground of non-prosecution.

JUDGE

Comparing Assistant