

GAHC010141462024



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

Case No. : WP(C)/3834/2024

JOGENDRA LAL BAISHYA
S/O LATE BIPIN LAL BAISHYA
R/O NORTH GUWAHATI, NEAR SANKARDEV PRIMARY SCHOOL,
DIHING SATRA, P.O. NORTH GUWAHATI, PIN-781030

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE DEPARTMENT OF REVENUE
AND DISASTER MANAGEMENT, CAPITAL COMPLEX,
DISPUR, GUWAHATI- 781006.

2:THE INSPECTOR GENERAL OF REGISTRATION

DIRECTORATE OF LAND RECORDS AND SURVEYS
RAJAH BHAWAN
RUPNAGAR
GUWAHATI
ASSAM
PIN-781032

3:THE DISTRICT COMMISSIONER CUM DISTRICT REGISTRAR

KAMRUP
GOVERNMENT OF ASSAM
DC OFFICE ROAD
AMINGAON
ASSAM- 781039

4:THE SUPERINTENDENT OF POLICE

KAMRUP

OFFICE OF THE SUPERINTENDENT OF POLICE
AMINGAON
ASSAM- 781039

5:THE SENIOR SUB- REGISTRAR

KAMRUP (SADAR)
ASSAM
OFFICE OF DISTRICT COMMISSIONER
DC OFFICE ROAD

KAMRUP
AMINGAON
ASSAM- 781039

6:SHRI ARUN JAIN ALIAS RAHUL
R/O DIPAK PATH
BHARALUMUKH

GUWAHATI-781009

For the Petitioner(s) : Mr. G. Das, Advocate

For the Respondent(s) : Ms. M. Barman, Jr. Government Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 09.08.2024

Heard Mr. G. Das, the learned counsel appearing on behalf of the Petitioner and Ms. M. Barman, the learned Junior Government appearing on behalf of the Respondents.

2. The instant writ petition is taken up for disposal at the motion stage itself taking into account the limited prayer of the Petitioner.

3. The case of the Petitioner herein is that the Petitioner is the owner of a plot of land. However to the surprise of the Petitioner, the names of

the private respondents have been included in the records of rights and as such the petitioner made enquiry and could come to learn that on the basis of certain alleged fraudulent documents, the name of Respondent No.6 was inserted in the record of rights.

4. It is the case of the Petitioner that the Petitioner had applied for the certified copies of alleged fraudulent documents however the Respondent Authorities have not provided those certified copies. Under such circumstance, the Petitioner has therefore approached this Court.

5. On the last occasion, this Court vide an order dated 02.08.2024 directed the Petitioner to file an additional affidavit bringing on record the documents to show that there was an application filed for the certified copies of the deeds in question. However, the said additional affidavit has not been filed.

6. Ms. M. Barman, the learned Junior Government Advocate submits that if the Petitioner had applied through the online mode in the portal, the Respondent Authority would definitely provide those certified copies if those are available with the Respondents.

7. Taking into account the submission made by Ms. M. Barman, the learned Junior Government Advocate, the petitioner herein is given the liberty to file an application seeking the certified copies in online mode and in the event such application is filed, the Respondent Authorities more particularly the Respondent Nos.3 and 5 shall provide the certified copies of those documents provided the same are available with the said respondents. The said exercise be completed within 30 days from the date of the application so filed.

8. With above observations and directions, the instant petition stands disposed of.

JUDGE

Comparing Assistant