

GAHC010167412019



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

**Case No. : WP(C)/5138/2019**

HANUMAN PRASAD GARG  
S/O- SRI MOMAN RAM GARG, R/O- SUREKA MARKET, A.T.ROAD, GHY-1,  
DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS.  
REP. BY THE CHIEF SECY., GOVT. OF ASSAM, DISPUR, GHY-6, DIST-  
KAMRUP (M), ASSAM

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM  
(REVENUE DEPTT.) DISPUR  
GHY-6  
KAMRUP (M)  
ASSAM

3:THE DY. COMMISSIONER CUM COLLECTOR  
KAMRUP (M)

GHY-1  
DIST- KAMRUP (M)  
ASSAM

4:THE SUB-DIVISIONAL OFFICER (S) I/C  
CUM LAND ACQUISITION OFFICER  
OFFICE OF THE DY. COMMISSIONER KAMRUP (M)  
GHY-1  
DIST- KAMRUP (M)  
ASSAM

5:THE CIRCLE OFFICER  
DISPUR REVENUE CIRCLE OFFICE

NH-37  
GHY  
DIST- KAMRUP (M)  
ASSAM

6:THE INDIAN OIL CORPORATION LTD.  
HAVING ITS REGD. OFFICE AT INDIAN OIL BHAVAN  
G-9  
ALI YAVAR JUNG MARG  
BANDRA (EAST) MUMBAI  
PIN- 400051  
MAHARASHTRA  
HEREIN REP. BY ITS CHAIRMAN

7:THE GENERAL MANAGER  
INDIAN OIL CORPORATION LTD. (IOCL)  
NOONMATI  
GHY- 32  
KAMRUP (M)  
ASSA

**Advocate for the Petitioner** : MR. R K JAIN

**Advocate for the Respondent** : SC, REVENUE

**BEFORE**  
**HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**09.02.2024**

Mr. RK Jain, the learned counsel appearing on behalf of the petitioner submits that he would not like to press the instant writ petition, taking into account, the relief so sought for may not be permissible in a proceeding under Article 226 of the Constitution of India. However, he submits that the petitioner be given the liberty to seek a reference to the authority on the question of inadequacy of compensation, *inasmuch as*, the land which was left out after the

acquisition had become unusable in view of the acquisition.

Taking into account the said submission, the instant writ petition stands closed on withdrawal.

However, the petitioner would be at liberty to approach the Collector by seeking a reference to the authority on the question of inadequacy of the compensation. This Court further observes that the period of filing of the instant writ petition w.e.f. 19.07.2019 till date to be excluded while considering the limitation for filing the application.

**JUDGE**

**Comparing Assistant**