

GAHC010196232024



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

Case No. : WP(C)/4849/2024

BABUL HUSSAIN AND 7 ORS
S/O SOMS UDDIN
RESIDENT OF VILLAGE JAGADISHPUR PART V, PS KATIGORAH, DIST
CACHAR, ASSAM

2: RAHIM UDDIN KHAN
S/O KUTUB UDDIN KHAN
RESIDENT OF TARAPUR PART VIII
PS SILCHAR
DIST CACHAR
ASSAM

3: ISLAM UDDIN LASKAR
S/O LATE NISAR UDDIN LASKAR

RESIDENT OF RONGPUR PART II
PS SILCHAR
DIST CACHAR
ASSAM

4: ABUL HUSSAIN LASKAR
S/O LATE KUTI MIA LASKAR

RESIDENT OF VILLAGE RONGPUR PART II
PS SILCHAR
DIST CACHAR
ASSAM

5: KAJAL HUSSAIN LASKAR

S/O LATE TAYBUR RAHMAN LASKAR

RESIDENT OF RONGPUR PART II
PS SILCHAR

DIST CACHAR
ASSAM

6: SAIDUL ISLAM LASKAR

S/O LATE TAYBUR RAHMAN LASKAR

RESIDENT OF RONGPUR PART II
PS SILCHAR
DIST CACHAR
ASSAM

7: RAMIZ UDDIN BARBHUIYA
S/O LATE RASHID ALI BARBHUIYA

RESIDENT OF VILLAGE GOSALPUR PART I
PS UDHARBOND
DIST CACHAR
ASSAM

8: HUSSAIN AHMED LASKAR
S/O ISLAM UDDIN LASKAR
RESIDENT OF RONGPUR PART III
PS SILCHAR DIST CACHAR
ASSA

VERSUS

THE UNION OF INDIA AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF SURFACE, TRANSPORT AND NATIONAL HIGHWAYS, TRANSPORT
BHAWAN, PARLIAMENT STREET, NEW DELHI 110001

2:THE CHIEF ENGINEER
(NH WORKS) ASSAM CHANDMARI
GUWAHTI 03

3:THE DEPUTY COMMISSIONER

CACHAR
ASSAM 788001

4:THE ADDITIONAL DEPUTY COMMISSIONER

LAND ACQUISITION BRANCH
CACHAR
ASSAM 78800

Advocate for the petitioner(s): Mr. NH Laskar

Advocate for the respondent(s): Mr. S Baruah

Junior Government Advocate, Assam

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

23.09.2024

Mr. NH Laskar, the learned counsel appearing on behalf of the petitioners submits that there is a formal defect in the instant writ petition taking into account that the National Highway Authority of India is the authority under whom the land acquisition process has been initiated. He, therefore, submits that without making the National Highway Authority of India a party in the instant proceedings, there would be a formal defect in the writ petition.

2. Accordingly, he submits that he may be permitted to withdraw the instant writ petition with a liberty to re-file the same by arraying the National Highway Authority of India as a party respondent.

3. Taking into account the above, the instant writ petition is closed on withdrawal.

4. Liberty is granted to the petitioner to re-file the same by removing the formal defects.

JUDGE

Comparing Assistant