

GAHC010197092024



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

Case No. : WP(C)/4855/2024

MD. BABUL HAQUE
S/O- HASMAT ALI, R/O- VILL.- KHATANIYAPARA, P.O. AND P.S. DHULA,
DIST. DARRANG, ASSAM, PIN- 784115.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI-6.

2:THE SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE DEPUTY COMMISSIONER
DARRANG
MANGALDOI
DIST. DARRANG
ASSAM

4:THE ADDITIONAL DISTRICT COMMISSIONER (REVENUE)
DARRANG
MANGALDAI
DIST. DARRANG
ASSAM

5:THE CIRCLE OFFICER
PUB MANGALDOI REVENUE CIRCLE
DHULA
DIST. DARRANG

ASSAM

6:SHaidul Islam
S/O- BADSHAH ALI
R/O- VILL.- KHATANIAPARA
MOUZA- SHAYAMABARI
P.O. AND P.S. DHULA
DIST. DARRANG
ASSAM
PIN- 784115

Advocate for the petitioner(s): Mrs. H Thakuria

Advocate for the respondent(s): Mr. N Goswami

Junior Government Advocate, Assam

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

ORDER

20.09.2024

Mrs. H Thakuria, the learned counsel appearing on behalf of the petitioner submits that the petitioner would be well advised to approach the competent Civil Court seeking declaration and injunction in respect to the proposed transfer of the land by the respondent No.6 to one Billal Hussain. Accordingly, she submits that she may be permitted to withdraw the instant writ petition.

2. The learned counsel for the petitioner further submits that the withdrawal of the instant writ petition should not prejudice the petitioner, if the petitioner wishes to file a suit challenging the suit, seeking declaration and permanent

injunction along with temporary injunction.

3. Taking into account the above, this Court closes the instant writ petition on withdrawal. It is further observed that the withdrawal of the instant writ petition would not prejudice the petitioner, if any suit is filed before the competent Court of Civil Jurisdiction.

JUDGE

Comparing Assistant