

GAHC010202232019



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

Case No. : WP(C)/6213/2019

LANKESWAR RAY

S/O- LT. KANTESWAR ROY, VILL.- SALBARI, P.O.- BOITAMARI, P.S.-
ABHAYAPURI, DIST.- BONGAIGAON, ASSAM, PIN- 783389.

VERSUS

UNION OF INDIA AND 7 ORS.

REP. BY THE SECRETARY, TO THE GOVT. OF INDIA, DEPTT. OF RAILWAY,
RAILWAY BHAWAN, NEW DELHI- 110001.

2:THE STATE OF ASSAM

THROUGH THE SECRETARY TO THE GOVT. OF ASSAM
DEPTT. OF REVENUE AND D.M. (LR)

DISPUR

GUWAHATI

ASSAM- 781006.

3:THE DEPUTY COMMISSIONER

BONGAIGAON

P.O. AND DIST.- BONGAIGAON

ASSAM

PIN- 783381.

4:ADDITIONAL DEPUTY COMMISSIONER

BONGAIGAON

P.O. AND DIST.- BONGAIGAON

ASSAM

PIN- 783381.

5:SUB DIVISIONAL OFFICER

NORTH SALMARA

ABHAYAPUR

ASSAM. PIN-

6:GENERAL MANAGER
NF RAILWAY
MALIGAON
GUWAHATI- 781011.

7:THE DEPUTY CHIEF ENGINEER
NF RAILWAY
JOGHGHOPA
P.O. JOGIGHOPA
DIST.- BONGAIGAON
ASSAM
PIN- 783382.

8:THE CIRCLE OFFICER
BOITHAMARI REVENUE CIRCLE
P.O.- BOITHAMARI
DIST.- BONGAIGAON
ASSAM
PIN- 783389

Advocate for the Petitioner : MR. K M HALOI

Advocate for the Respondent : SC, NF RLY

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

27.06.2024

Heard Mr. K.M. Haloi, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Standing Counsel, NF Railway and Ms. U. Das, learned Addl. Sr. Government Advocate for the State respondents.

By filing this petition under Article 226 of the Constitution of India, the petitioner is seeking direction for payment of adequate compensation for acquiring his land by the Railway for construction of new B.G. Railway line from

New Maynaguri to Joghichopa and also pay compensation amounting to Rs. 8,500/- alongwith interest @ 18% p.a. from the date of acquisition of the Fishery.

It appears that the petitioner has filed a representation on 29.09.2015 (Annexure-7 to the writ petition) before the Addl. Deputy Commissioner (Rev.), Bongaigaon requesting release of compensation for the Fishery amounting to Rs. 8,500/-.

It further appears that the aforesaid representation of the petitioner was forwarded to the office of the Circle Officer, Boitamari Revenue Circle by letter dated 26.10.2015 (Annexure-8 to the writ petition). However, nothing has been done from the office of the District Administration, as regards the aforesaid representation filed by the petitioner till date.

In view of the above, this Court is of the considered view that this writ petition can be disposed of with a direction to the respondent Nos. 3 & 4 to dispose of the representation of the petitioner dated 29.09.2015 within a period of 2 (two) months from the date of receipt of a certified copy of this order.

The writ petition is accordingly disposed of.

Needless to clarify that a copy of the writ petition alongwith a certified copy of this order be furnished to the aforesaid respondent authorities.

JUDGE

Comparing Assistant