

GAHC010203622024



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

Case No. : WP(C)/5034/2024

BILAL UDDIN AND 49 ORS
SON OF- RUHUL AMIN
VILL. NO. 2 KOCHUTOLI PATHAR,
RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR,
P.O.-DIGARU, P.S.- SONAPUR
DISTRICT - KAMRUP METRO, ASSAM.
PIN- 782401

2: JAINAL ABEDIN
SON OF- MONTAZ ALI
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

3: ROHIS ALI
SON OF-IMAN ALI
VILL.- NO. 1 KOCHUTOLI

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

4: FARUK AHMED
SON OF-MAHMUD ALI

VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

5: SAHEB ALI
SON OF-ABDUL SALAM
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

6: HABIJUL ISLAM
SON OF-SAMED ALI
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

7: SADEK AHMED
SON OF- ABDUL BAREK
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

8: MAMTAZ BEGUM
WIFE OF- ENGRAJ ALI

VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

9: ADURUDDIN
SON OF- MUSLIM UDDIN
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

10: OSMAN GONI
SON OF- SHAMER ALI
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

11: KADER ALI
SON OF- JAINALHOQUE
VILL.- NO. 1 KOCHUTOLI

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

12: JAMALUDDIN
SON OF- MUSLIM IDDIN

VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

13: NAYA MIYA
SON OF-MURGAB ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

14: FOZARE ALI
SON OF- KUDDUS MIA
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

15: ABDUL HAI
SON OF- NASIM SHEIKH
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

16: KURPAN ALI
SON OF- AINALALI

VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

17: KUDDUS MIYA
SON OF- MOZIBUR RAHMAN
NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

18: FEDDUS ALI
SON OF-CHOBAHAN ALI
VILL.-NO. 1 KOCHUTOLI

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

19: MAMIRUN NESSA
WIFE OF- ATAR ALI
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

20: HAZARAT ALI
SON OF- AADAM ALI

VILL.-NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

21: RAFIKUL ISLAM
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

22: ABDUL RAZZAK ALI
SON OF-MAHAMMAD ALI
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

23: ABDUL MUTALIB
SON OF-
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

24: SAYED ALI
SON OF- SURMAN ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

25: MANSUR ALI
SON OF- SIDDIK ALI
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

26: MAHEJ ALI
SON OF- HANIF ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

27: HAMEDA BEGUM
DAUGHTER OF- ABDUL SALAM
VILL.- NO. 1 KOCHUTOLIPATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

28: SURMAN ALI
SON OF- MUNTAZ ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

29: JAHAR ALI
SON OF- ALTAB ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

30: ATABAR ALI
SON OF- AJIM UDDIN
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

31: SAHERA KHATUN
WIFE OF- JAVED ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

32: MAHMUD ALI
SON OF- KUTUB ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

33: UMED ALI
SON OF- KUTUB ALI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

34: BABUR ALI
SON OF- KUTUB ALI
VILL.- NO. 1 KALAKUCHI

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

35: AHANAF ALI
SON OF- MUSLIM UDDIN
VILL.- NO. 1 KOCHUTOLIPATHAR
RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

36: AKBAR ALI
SON OF- ABDUL GONI
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

37: MANGLA KHAN
SON OF- KHONA KHAN
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

38: HAMID ALI
SON OF- RAHIM SHEIKH
VILL.- NO. 1 KOCHUTOLI PATHAR
RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

39: NAHAR ALI
SON OF- BUDUSHEIH
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

40: HAZARAT ALI
SON OF- KHAZAL UDDIN
VILL.-NO. 2 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

41: MAHIDUL ISLAM
SON OF- KALU SHEIKH
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

42: KARIM ALI
SON OF- HABIBUR RAHMAN
VILL.- NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

43: MOFIZ UDDIN
SON OF- AFAZ UDDIN
VILL.-NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

44: LAL MIYA
SON OF- MECHER ALI
VILL.-NO. 1 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

45: RAJAB ALI
SON OF- TANU MIYA
VILL.- NO. 2 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

46: AFJAL ALI
SON OF- SAMECH UDDIN
VILL.- NO. 2 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

47: RANJU ALI
SON OF- TANU MIYA
VILL.- NO. 2 KOCHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

48: NUR ISLAM
SON OF- HASEN ALI
VILL.-NO. 1 KACHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

49: NAUSHAD ALI
SON OF-
VILL.- NO. 2 KACHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 782401

50: TALEBOR ALI
SON OF- AYUB ALI
VILL.- NO. 1 KACHUTOLI PATHAR

RESIDENT OF VILLAGES UNDER- MOUZA- SONAPUR

P.O.-DIGARU
P.S.- SONAPUR
DISTRICT - KAMRUP METRO
ASSAM.
PIN- 78240

VERSUS

THE STATE OF ASSAM AND 4 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, REVENUE AND DISASTER MANAGEMENT
DEPARTMENT, JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX),
DISPUR, GUWAHATI- 781006

2:THE DISTRICT COMMISSIONER
KAMRUP METRO
ASSAM.

3:THE CIRCLE OFFICER
SONAPUR REVENUE CIRCLE

4:COMMISSIONER OF POLICE
GUWAHATI POLICE COMMISSIONERATE

5:THE OFFICER-IN-CHARGE
SONAPUR POLICE STATIO

Advocate for the petitioner(s): Mr. AR Bhuyan

Advocate for the respondent(s): Mr. R Barpujari

Standing Counsel, Revenue Department

Mr. S Baruah

Junior Govt. Advocate, Assam

B E F O R E

HON'BLE MR. JUSTICE DEVASHIS BARUAH

JUDGMENT & ORDER(ORAL)

26.09.2024

Heard Mr. AR Bhuyan, the learned counsel appearing on behalf of the petitioners. Mr. R Barpujari, the learned counsel appears on behalf of the Revenue Department, Government of Assam and Mr. S Baruah, the learned Junior Government Advocate appears on behalf of the District Administration, Kamrup(M).

2. In the instant writ petition, the petitioners herein 50 in number have approached this Court challenging the eviction proceedings carried out by the District Administration of Kamrup(Metro) in the purported exercise of powers under Chapter-X of the Assam Land and Revenue Regulation, 1886 (for short, 'the Regulation'). It is the case of the petitioners that the petitioners herein have

not been issued any notice, but red colour stickers have been pasted in the houses belonging to the petitioners and under such apprehension, the petitioners have approached this Court. It is the further case of the petitioners that the petitioners though not the owners or patta holders of the land, in question, but they have acquired derivative rights from the owners or patta holders of the land in question, and as such, the summary manner in which the respondents are taking steps to evict the petitioners are in violation of the provisions of Section 165 (3) of the Regulation as well as in violation of the principles of natural justice.

3. Mr. R Barpujari, the learned Standing Counsel, Revenue Department, *per contra*, submitted that in terms of the Notification dated 27.02.1950, the Revenue and Settlement Department of the Government of Assam under the Orders of the Governor of Assam had constituted the Tribal Belt in terms with Chapter-X of the Regulation. He further submitted that Chapter-X of the Regulation is a very special Chapter in order to protect certain Classes who, on account of their primitive conditions and lack of education or material advantages, are incapable of looking after their welfare in so far as such welfare depends upon their having sufficient land for their maintenance. In terms of Section 164 (A) and 164 (B) of the Regulation, stringent conditions have been imposed keeping the legislative enactment for protection of the Backward Classes. He further submitted that once the land has been notified in terms of Chapter-X, there cannot be any acquisition by any other Class other than those Classes falling under Chapter-X of the Regulation.

4. The learned counsel for the Revenue Department further submitted that in the instant case, the petitioners herein have no semblance of any right over the lands in question and as such, even issuance of notice to the petitioners would

gain no meaningful result. Referring to the pleadings in the writ petition as well as also in the additional affidavit, the learned counsel appearing on behalf of the Revenue Department further submitted that this is a case where the petitioners could not have claimed any rights over the land in question. He, however, admitted the fact that the Supreme Court in its order dated 03.02.2020 in SLP(C)No.2121/2020 had issued certain observations in the manner in which the proceedings are required to be conducted.

5. In the backdrop of the above submissions, this Court has duly given an anxious consideration to the submissions so made by the learned counsels for the parties. It is seen from a perusal of Chapter-X of the Regulation that by Section 60, an obligation has been cast upon the State Government to adopt such measures as it deems fit for protection of those Classes who, on account of their primitive conditions and lack of education or material advantages, are incapable of looking after their welfare in so far as such welfare depends upon having sufficient land for their maintenance. In terms of Section 161 of the Regulation, a power has been conferred upon the State Government to constitute compact areas in regions predominantly occupied by people notified under the provisions of Sub-section (2) of Section 160 of the Regulation in Belts or Blocks. It is seen that the notification dated 27.02.1950 has been issued in exercise of the powers under Section 161 of the Regulation. Section 163 of the Regulation stipulates the manner of disposal of land for the purpose of cultivation and Section 164 of the Regulation stipulates about the rights of settlement holders and landholders. In terms of Section 164 of the Regulation, there is a bar on acquisition in a Belt or Block unless such a person does not belong to a Class of people notified under Section 160 of the Regulation or to a person who is not a permanent resident in that Belt or Block. Section 164 (A)

and Section 164 (B) of the Regulation were inserted by amendment carried out in 1981 and 1990 respectively in order to make Chapter-X more effective. Section 165 of the Regulation stipulates the manner in which the ejection and eviction could be carried out. Section 165 of the Regulation envisages different treatment to different Classes of persons who are in occupation of lands falling under Chapter-X. The first of such groups are those persons occupying without authority; the second are those who are annually settled and third those who have been periodically settled. In the case of the first and second group, eviction can be carried out forthwith whereas as regards the third group there is the mandatory requirement to follow the process in terms with Section 165(3) of the Regulation.

6. This Court has also perused the directions so passed by the Supreme Court in its order dated 03.02.2020. The said order is reproduced herein under:-

“Permission to file Special Leave Petitions is granted.

The principal grievance of petitioners before this court is that peremptory directions have been issued by the High Court which are likely to be construed as having been issued after recording finding of fact that the petitioners and similarly placed occupants in the concerned area are unauthorized occupants.

This apprehension, in our opinion, is misplaced. For, the tenor of the order which is impugned in these Special Leave Petitions is merely to direct the Deputy Commissioner to proceed against the unauthorized occupants in accordance with law – which presupposes that the Deputy Commissioner must examine the claim of each occupant on case to case basis and after recording satisfaction in light of evidence produced before him proceed to

pass appropriate order(s) as per law.

We may add that, if that order is adverse to the occupants, the Deputy Commissioner must give reasonable time to the occupants to take recourse to appropriate remedy as may be permissible in law.

In other words, the Deputy Commissioner shall decide the proceedings uninfluenced by any of the observations made by the High Court in the impugned judgment and order.

It will be open to the Deputy Commissioner to request the High Court to extend the timeline specified in terms of the impugned judgment and order, which request we are certain would be considered appropriately by the High Court.

Besides this, nothing more is required to be clarified. These Special Leave Petitions are disposed of accordingly.

Pending applications, if any, stand disposed of.”

(emphasis applied to the underlined portion)

7. From the above order, it is clear that the Supreme Court observed that the Deputy Commissioner must examine the claim of each occupants on case to case basis and after recording satisfaction in the light of evidence produced before him, proceed to pass appropriate orders as per law. The Supreme Court further observed that if that order is adverse to the occupants, the Deputy Commissioner must give reasonable time to the occupant to take recourse to an appropriate remedy as may be permissible in law. Furthermore, the Supreme Court also observed that the Deputy Commissioners shall decide the proceedings uninfluenced by any of the observations made by the learned Division Bench of this Court in the order dated 09.12.2019 passed in PIL

No.78/2018.

8. In view of the above, this Court is of the opinion that the interest of justice would be met, if the petitioners herein are granted the liberty to submit their respective representations within 04.10.2024 before the Office of the Deputy Commissioner, Kamrup (Metro) along with all their supporting documents. The Deputy Commissioner, Kamrup (Metro) is further directed thereupon to decide the claim of the petitioners by giving them an opportunity of hearing. Thereupon, the Deputy Commissioner, Kamrup (Metro) shall pass respective speaking order(s) as per the provisions of law.

9. It has been submitted by Mr. R Barpujari, the learned Standing Counsel for the Revenue Department, Govt. of Assam that in respect to the land wherein the document has been placed i.e. patta No.191, he has been duly informed that the eviction proceedings is already over on 24.09.2024. He further submitted that he is not aware of as regards the other land, taking into account that only today, the additional affidavit had been filed, mentioning other lands with different locations.

10. Taking into account the above, this Court observes that till the disposal of the representations by the Deputy Commissioner, Kamrup(Metro) as directed hereinabove, the District Administration, Kamrup (Metro) shall not evict the petitioners from the present possession of the petitioners, subject to the petitioners showing before the District Administration or for that matter, the officials of the District Administration, Kamrup(Metro) that they are the petitioners to the instant writ petition along with some document(s) to correlate the petitioners' possession over the land under their occupation.

11. With the above observations and directions, the instant writ petition stands

disposed of.

JUDGE

Comparing Assistant