

GAHC010215292019



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

Case No. : WP(C)/6671/2019

MAZAM ALI AND 4 ORS.
S/O. LT. ISAB ALI, VILL. KHALISABHIATA, P.O. KHALISABHIATA, P.S.
LAKHIPUR, DIST. GOALPARA, ASSAM, PIN-783330.

2: ABDUL JOBBAR
S/O. LT. TUFANU SK
VILL. KHALISABHIATA
P.O. KHALISABHIATA
P.S. LAKHIPUR
DIST. GOALPARA
ASSAM
PIN-783330.

3: JALAL UDDIN
S/O. LT. TUFANU SK
VILL. KHALISABHIATA
P.O. KHALISABHIATA
P.S. LAKHIPUR
DIST. GOALPARA
ASSAM
PIN-783330.

4: JOYNAL ABEDIN
S/O. LT. TUFANU SK
VILL. KHALISABHIATA
P.O. KHALISABHIATA
P.S. LAKHIPUR
DIST. GOALPARA
ASSAM
PIN-783330.

5: MOYNAL HOQUE
S/O. LT. TUFANU SK
VILL. KHALISABHIATA

P.O. KHALISABHIATA
P.S. LAKHIPUR
DIST. GOALPARA
ASSAM
PIN-783330

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, PANCHAYAT
AND RURAL DEVELOPMENT DEPTT., DISPUR, GUWAHATI-06.

2:THE DIRECTOR OF PANCHAYAT AND RURAL DEVELOPMENT

ASSAM
KHANAPARA-22.

3:THE DY. COMMISSIONER

GOALPARA
ASSAM
PIN-783101.

4:THE GOALPARA ZILLA PARISHAD
REP. BY CHIEF EXECUTIVE OFFICER
GOALPARA ZILLA PARISHAD
GOALPARA
ASSAM
PIN-783101.

5:THE JALESWAR ANCHALIK PANCHAYAT
REP. BY THE EXECUTIVE OFFICER
JALESWAR ANCHALIK PANCHAYAT
P.O. JALESWAR
P.S. LAKHIPUR
DIST. GOALPARA
ASSAM
PIN-783330.

6:THE CIRCLE OFFICER
(EARLIER R-7)
LAKHIPUR REVENUE CIRCLE
LAKHIPUR
P.O. AND P.S. LAKHIPUR
DIST. GOALPARA
ASSAM
PIN-783330

Advocate for the Petitioner(s) : Md. H.R. Ahmed

Advocate for the Respondent(s): Mr. N. Goswami, Government Advocate
Mr. P. Handique, SC, P& RD

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 22.08.2024

Heard Md. H.R. Ahmed, the learned counsel appearing on behalf of the petitioners. Mr. N. Goswami, the learned Government Advocate appears on behalf of the respondent No. 3. Mr. P. Handique, the learned Standing Counsel appears on behalf of the P& RD Department.

2. At the outset it has been submitted by the learned counsel for the P& RD Department that the instant writ petition in so far as the grievance against the P&RD Department has become infructuous in view of the fact that the order dated 26.06.2019 which was period for one year has already spent its force. The learned counsel appearing on behalf of the petitioners also agrees to the said submission.

3. The second issue which is involved is that the petitioners herein have sought for demarcation by submitting an application 28.08.2018. which have not been considered as per the petitioner. This Court finds it very relevant to take note of that the Government of Assam in the Revenue & Disaster Management (Reforms) Department has issued an Office Memorandum dated 21.12.2020 mandating the procedure as to how such an application seeking demarcation certificate can be applied.

4. In that view of the matter this Court dipsoes of the instant writ petition granting liberty to the petitioners to apply in terms with the Office memorandum dated 21.12.2020 and if such application is filed, the respondent authorities more particularly, the respondent Nos. 3 & 7 shall duly take appropriate steps as per the said Office Memorandum.

5. With the above observations and directions the instant writ petition stands disposed of.

JUDGE

Comparing Assistant