

GAHC010226142024



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

Case No. : WP(C)/5630/2024

REJIA BIBI
W/O- NUR ISLAM, VILLAGE- ANGER KATA, PART-II, P.O. AND P.S.
BOGRIBARI, DISTRICT- KOKRAJHAR (BTR), ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER TO THE GOVERNMENT OF
ASSAM, REVENUE DEPARTMENT, DISPUR, GUWAHATI-06

2:THE DISTRICT COMMISSIONER
KOKRAJHAR DISTRICT (BTR)
P.O. KOKRAJHAR
ASSAM
PIN- 783370

3:THE SUB-DIVISIONAL OFFICER (CIVIL)
PARVATJORA AT KAJIGAON
P.O. KAJIGAON
DISTRICT- KOKRAJHAR (BTR)
ASSAM
PIN- 783349

4:THE CIRCLE OFFICER
BOGRIBARI REVENUE CIRCLE
P.O. BOGRIBARI
DISTRICT- KOKRAJHAR
ASSAM
PIN- 783349

5:THE SETTLEMENT OFFICER
DHUBRI AND KOKRAJHAR

HEAD QUARTER- DHUBRI
P.O. DHUBRI
PIN- 783301
DISTRICT- DHUBRI
ASSA

Advocate for the Petitioner : MR. M A SHEIKH, MR. W A SHEIKH, MS F INTAZ

Advocate for the Respondent : SC, REVENUE, SC, BTC, GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

27.11.2024

Heard Mr. M.A. Sheikh, learned counsel for the petitioner. Also heard Mr. N. Goswami, learned Government Advocate for the State.

This writ petition has been filed by the petitioner praying for settlement of a land of which claims that the land was under her possession for the last 30 years. She had filed necessary application before the respondent authorities for settlement of the land, however, the same has not been done. A recent representation was stated to have been filed by the petitioner on 02.08.2024 (Annexure-2) to settle or allot the schedule land in her name. However the same has not been disposed of and the petitioner apprehend that the said land is likely to be allotted to some other person without first considering her claim.

Mr. N. Goswami, learned Government Advocate submits that he has no instructions in the matter.

Considering the limited prayer in the writ petition, this Court is of the view that since the prayer of the petitioner seeking an order for disposal of the representation, this writ petition cannot be kept pending and the same can be

disposed of with a direction to the respondent No. 5 to dispose of the representation within a period of 30 days from the date of receipt of certified copy of this order to be served by the petitioner. Any order that is passed copy thereof shall be served on the petitioner.

In the event any order has already been passed copies thereof shall be served on the petitioner.

Any claim of the petitioner in respect of the land in question resulting settlement as it is claimed by the petitioner that the same is under her possession should be decided by the settlement officer while disposing of the representation, the settlement officer take note of the land allotment policy towards landless person notified by the Government of Assam as the petitioner claims to the land in question.

With the above observation, the writ petition stands disposed.

JUDGE

Comparing Assistant