

GAHC010237522024



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

Case No. : WP(C)/5974/2024

ASHOK GHASI NAYAK
S/O- LATE DURGI GHASI NAYAK @ LATE DURGA NAYAK, R/O- VILLAGE-
PAROWA GAON, P.O.- NIKAMUL SATRA, DISTRICT- SONITPUR, ASSAM,
PIN- 784154

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI- 781006

2:THE DISTRICT COMMISSIONER
SONITPUR
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001

3:THE ADDITIONAL DISTRICT COMMISSIONER
SONITPUR
TEZPUR
DISTRICT- SONITPUR
ASSAM
PIN- 784001

4:THE CIRCLE OFFICER
TEZPUR REVENUE CIRCLE
DISTRICT- SONITPUR
ASSAM
PIN- 78400

Advocate for the Petitioner : MR. I H LASKAR, MS. N M LONGKENG, J MEDHI, MR. P K
DEKA, MR. R. KARIM, MR. P DAIMARY

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

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

18.11.2024

Heard Mr. P.K. Deka, learned counsel for the petitioner. Also heard Mr. H. Sarma, learned Additional Senior Government, Assam, for the respondent nos. 2, 3 & 4 and Ms. P.R. Mahanta, learned Standing Counsel, Revenue Department for the respondent no.1.

2. This writ petition is filed due to non-consideration of the representation dated 05.04.2024 (Annexure-6) filed by the petitioner seeking for mutation of his paternal land in his name and a land by right of inheritance. The petitioner claims to be a son of one late Durgi Ghasi Nayak who was the absolute owner of a plot of land measuring 1 (one) bigha covered by Patta No.64, Dag No 144 situated at Village-Parowa Gaon under Mouza-Holleswar, Tezpur Revenue Circle in the District of Sonitpur, Tezpur. It is submitted that the petitioner has 2 (two) brothers and late Durgi Ghasi Nayak has left 3 (three) legal heirs. It is further submitted that the other 2 (two) siblings of the writ petitioner have declared that they have *No-Objection* if the said plot of land is mutated in favour of the petitioner and a copy of the said *NOC* is annexed as Annexure-8 to the writ

petition.

3] The petitioner on behalf of himself and his brothers approached before the District Commissioner, Sonitpur, Tezpur for mutation of the abovementioned plot of land in his name. He took steps by filing necessary application and for which acknowledgement no. RTPS/MUTI/2023/1838025 dated 04.10.2023 was submitted by paying requisite Government fees but till date it is pending. He submits that in spite of repeated requests made, the representation has not been disposed of.

4] Considering the limited prayer of the writ petitioner, this Court is of the view that the writ petition can be disposed of with a direction to the respondents, more particularly, the respondent no.2 to consider and disposed of the application/representation dated 05.04.2024 (Annexure-6) filed by the petitioner after hearing the petitioner. The concerned respondent will pass an appropriate order within a period of 60 (sixty) days from the date of receipt of a certified copy of this order to be submitted by the writ petitioner.

5. In terms of the above direction, the writ petition stands disposed of at this motion stage itself.

JUDGE

Comparing Assistant