

GAHC010252772022



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

Case No. : WP(C)/7951/2022

JABORIKUCHI GAON UNNAYAN SAMITTEE
REPRESENTED BY ITS PRESIDENT - MD. AZIZUL HAQUE (AGED ABOUT 44
YEARS), S/O LATE TAZMUL HUSSAIN, VILL- JABORIKUCHI, MOUZA-
SOPAI, P.O.-BARKALA CHOWKA, P.S.-MANGALDOI, DIST- DARRANG,
ASSAM, PIN-784525

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, REVENUE DEPARTMENT, DISPUR, GUWAHATI-
6

2:THE DEPUTY COMMISSIONER
DIST-DARRANG
MANGALDOI
ASSAM
PIN-784125

3:THE CIRCLE OFFICER
MANGALDOI REVENUE CIRCLE
MANGALDOI
DIST- DARRANG
ASSAM
PIN-784125

4:MD. KUDDRAT ALI
S/O MD. APJAL ALI
PRESIDENT
DEKARGAON KABARSTAN COMMITTEE
P.O.-BARAMPURA
P.S.-MANGALDOI

DIST- DARRANG
ASSAM
PIN-784525

5:MD. ASHADULLA HAQUE
S/O LATE HUSSAIN ALI
SECRETARY
DEKARGAON KABARSTAN COMMITTEE
P.O.- BARAMPURA
P.S.-MANGALDOI
DIST- DARRANG
ASSAM
PIN-784525

6:MD. SULTAN ALI AHMED
S/O LATE SECONDAR ALI
PRESIDENT - DEKARGAON MADRASSA AND SECRETARY
DEKARGAON EDDGAH FIELD
P.O.-BARAMPUR
P.S.-MANGALDOI
DIST- DARRANG
ASSAM
PIN-784525

7:MD. AINUL ALI
S/O LATE AAJUR ALI
SECRETARY
DAKARGAON MADRASSA
P.S.-BARAMPUR
P.S.-MANGALDOI
P.O.-BARAMPUR
DIST-DARRANG
ASSAM
PIN-784525

8:MD. MUKIBUR RAHMAN
S/O LATE NOSIR ALI
PRESIDENT DEKARGAON EDDGAH FIELD
P.O.-BARAMPUR
P.S.-MANGALDOI
DIST- DARRANG
ASSAM
PIN-78452

Advocate for the petitioner(s): Mr. SN Adhyapak

Advocate for the respondent(s): Ms. N Bordoloi for respondent No.1

Ms. S Konwar for respondent Nos.2 & 3

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

04.11.2024

Heard Mr. SN Adhyapak, the learned counsel appearing on behalf of the petitioner. Ms. N Bordoloi, the learned counsel appears on behalf of the respondent No.1 and Ms. S Konwar, the learned counsel appears on behalf of respondent Nos.2 and 3.

2. The petitioners herein, which is a social organisation had approached this Court by filing the instant writ petition being aggrieved by the inaction on the part of the Deputy Commissioner, Darrang in not considering the representation filed on 25.04.2022. It is relevant to take note of that the dispute between the petitioner as well as the private respondent Nos.4 to 8 is purely a civil dispute. Under such circumstances, the question of issuance of any direction to the Deputy Commissioner to consider the representation or for that matter passing any appropriate order(s) in a proceedings under Article 226 of the Constitution does not arise.

3. Accordingly, this Court finds no merit in the writ petition, for which, the

instant writ petition stands dismissed.

4. Be that as it may, this Court, however, makes it clear that the dismissal of this writ petition shall not preclude the petitioner or any of its members to approach the Civil Court, provided the same is maintainable in law.

JUDGE

Comparing Assistant