

GAHC010254472024



undefined

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

Case No. : WP(C)/6566/2024

MUSSTT PARBINA BEGUM CHOUDHURY
W/O NURUL ISLAM CHOUDHURY
R/O LANKA PATTY,
WARD NO. 1, ANIL BORA PATH, HOUSE NO. 326, LANKA TOWN, P.O. AND
P.S. LANKA, DIST. HOJAI, ASSAM, PIN -782446

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI-781006.

2:THE DISTRICT COMMISISONER

HOJAI
SANKARDEV NAGAR
ASSAM
PIN-782442

3:THE CIRCLE OFFICER

LANKA REVENUE CIRCLE

LANKA

HOJAI
SANKARDEV NAGAR
DIST. HOJAI
ASSAM

PIN-78244

Advocate for the Petitioner : M K BORAH, MS. P. KASHYAP

Advocate for the Respondent : SC, REVENUE AND DISASTER MANAGEMENT DEPT, GA,
ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

09-12-2024

Heard Mr. M.K. Borah, learned counsel for the petitioner. Also heard Mr. J. Handique, learned Senior Government Advocate, Assam for the respondent nos. 2 & 3 and Ms. G. Hazarika, learned Standing Counsel, Revenue Department for the respondent no.1.

2] The petitioner is aggrieved that the application filed by the petitioner for demarcation of the land covered by the Dag No.121 and Dag No.1618 under Patta No.104 of Revenue Village-Lanka Town, Lat No.-03, Mouza-Lanka under Lanka Revenue Circle in the district of Hojai, Sankardev Nagar, Assam has not been carried out by the Circle Officer, Lanka Revenue Circle. It is the grievance of the learned counsel for the petitioner that the time line fixed by the Revenue and Disaster Management Department by OM dated 21.12.2020 has not been followed by the respondents.

3] It is the submission of the learned counsel for the petitioner that although

the dates were fixed for appearance of the parties, but subsequently, no steps have been taken by the Circle Officer, Lanka Revenue Circle for demarcation of the land covered under the said Dag numbers. Being aggrieved, the present writ petition has been filed.

4] Learned counsel for the petitioner after arguing for some time submits that no representation has been filed before the District Commissioner, Hojai, Sankardev Nagar bringing it to the notice that the application seeking demarcation has not been disposed of by the Circle Officer, Lanka Revenue Circle. He, therefore, seeks liberty of this Court at this stage to file necessary representation before the District Commissioner, Hojai, Sankardev Nagar, namely, the respondent no.2 claiming that in spite of the application being filed seeking demarcation of the land covered by Dag No.121 and Dag No.1618 under Patta No.104 of Revenue Village-Lanka Town, Lat No.-03, Mouza-Lanka under Lanka Revenue Circle in the district of Hojai, Sankardev Nagar, no step has been taken by the Circle Officer, Lanka Revenue Circle. such prayer of the writ petitioner is not objected to by the learned Government Advocate as well as learned Standing Counsel, Revenue Department.

5] Accordingly, this Court permits the writ petitioner to file necessary application/representation before the District Commissioner, Hojai, Sankardev

Nagar, ventilating his grievances against the Circle Officer, Lanka Revenue Circle for not disposing of his application seeking demarcation of land covered by Dag No.121 and Dag No.1618 under Patta No.104 of Revenue Village-Lanka Town, Lat No.-03, Mouza-Lanka under Lanka Revenue Circle in the district of Hojai, Sankardev Nagar. If the petitioner files such representation/application within a period of 15 (fifteen) days from the date of receipt of a certified copy of this order, the District Commissioner, Hojai, Sankardev Nagar will dispose of the said application/representation by issuing a speaking order within a period of 30 (thirty) days from the date of filing of the representation/application by the petitioner. Any such order that is, passed by the District Commissioner, Hojai, Sankardev Nagar, a copy thereof shall be served to the writ petitioner.

6] With the above observations and directions, the writ petition stands disposed of.

JUDGE

Comparing Assistant