

GAHC010263822023



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

Case No. : WP(C)/7409/2023

BANDANA KALITA
D/O- LATE NAREN CHANDRA KALITA,
R/O- ISCHADAGHARIA,
P.O.- KONIHA,
DISTRICT- KAMRUP(R), ASSAM,
PIN- 781380.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM,
LAND AND REVENUE DEPARTMENT,
DISPUR, GUWAHATI- 6.

2:THE DEPUTY COMMISSIONER
KAMRUP(RURAL) DISTRICT
AMINGAON
NORTH GUWAHATI
PIN- 781031.

3:THE ADDITIONAL DEPUTY COMMISSIONER (REVENUE)
KAMRUP(RURAL) DISTRICT
AMINGAON
NORTH GUWAHATI
PIN- 781031

4:THE CIRCLE OFFICER
RANGIA REVENUE CIRCLE
P.O.- RANGIA
DISTRICT- KAMRUP
ASSAM.

5: BABUL KALITA
SON OF HARESWAR KALITA

RESIDENT OF VILLAGE- ISCHADAGHARIA

P.O.- KONIHA
DISTRICT- KAMRUP(R)

ASSAM
PIN- 781380.

6: THE OFFICE OF THE COMMISSIONER OF LOWER ASSAM DIVISION
GUWAHATI

Advocate for the Petitioner : MRS. K DEVI

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 02-02-2024

Heard Ms. S.K. Bakht, learned counsel for the writ petitioner. Also heard Ms. M. Bhattacharyya, learned Addl. Sr. Govt. Advocate, Assam appearing on behalf of the respondent Nos. 2, 3, 4 and 6 who submits on instruction that the allegation made in the writ petition are all denied and disputed by the authorities. She further submits that since an appeal has already been preferred assailing the selection and appointment of respondent No. 5 as Gaon Pradhan of village Ischadagharia under Rangia Revenue Circle, hence, this writ petition be closed by directing expeditious disposal of the pending appeal.

Mr. J. Handique, learned standing counsel, Revenue Department, Assam has produced a copy of the Govt. notification issued yesterday, i.e. on 01-02-2024, to submit that the Director of Land Record and Survey, Assam has now been designated as the

authority to hear the appeals preferred under the provision of Rule 162(C) of the Executive Instruction framed under the Assam Land and Revenue Regulation and he is required to hear and dispose of the appeals within 60 days from the date of receipt of the record.

I have perused the notification dated 01-02-2024.

The learned counsel for the petitioner has fairly submitted that her client will be satisfied if the pending appeal is disposed of by the concerned authority in a time bound manner.

In view of the above, without commenting on the merit of the claim and counter claim of the parties, this writ petition stands disposed of with a direction upon the concerned authority to transmit the record of the appeal preferred by the petitioner under Rule 162(C) of the Executive Instruction before the appellate authority within a period of 02 weeks from the date of receipt of a certified copy of this order.

Thereafter, the appeal be heard and disposed of within the timeframe provided by the notification dated 01-02-2024, after giving proper opportunity of being heard to the parties.

Writ petition stands disposed of accordingly.

JUDGE

GS

Comparing Assistant