

GAHC010294192023



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

Case No. : I.A.(Civil)/3/2024

THE PRINCIPAL SECRETARY
BODOLAND TERRITORIAL COUNCIL, KOKRAJHAR

VERSUS

ABHIRAM DAS,
S/O- ANANDA MOHAN DAS , R/O- KAWATIKA, P.O- KAWATIKA, P.S- BIJNI,
DIST- CHIRANG, ASSAM, PIN-783390

Advocate for the Petitioner : SC, BTC

Advocate for the Respondent : MR D CHOUDHURY

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK
HON'BLE MRS. JUSTICE MITALI THAKURIA

O R D E R

20.02.2024

(M.R. Pathak, J)

Heard Ms. R. B. Bora, learned Standing Counsel, BTC for the applicant and Mr. T. Chakraborty, learned counsel for the opposite party/writ petitioner/appellant.

2. Being aggrieved with Order No. BTC/DLR-4/2008/pt-I/203 dated 26.09.2022 issued by the Director of Land Records & Surveys, BTC, Kokrajhar transferring him from Bijni to Barama, the opposite party No.1 as the petitioner preferred a writ petition being WP(C) No. 6708/2022, which was dismissed on 10.11.2023. Against the said order of the learned Single Judge dated 10.11.2023, the opposite party No.1 as appellant filed the connected Writ Appeal No.423/2023.

3. After considering the entire aspect of the matter, hearing the parties and the consensus granted by the respondent BTC authorities therein, by our order dated 18.11.2023, we disposed of the said Writ Appeal No. 423/2023 directing not to give effect of transfer of the present opposite party No.1 issued by the Director of Land Records & Surveys, BTC, Kokrajhar on 26.09.2022 up to 29.02.2024, observing further that the appellant/writ petitioner/opposite party No. 1 herein shall be released from Bijni Revenue Circle under the BTC authorities on 29.04.2024 enabling him to join the Barama Revenue Circle in terms of his transfer pursuant to the order dated 26.09.2022, noted above.

4. Ms. R.B. Bora, learned Standing Counsel, BTC by filing this interlocutory application, submits that as it was directed by the order dated 18.11.2023 that the impugned order of transfer of the petitioner dated 26.09.2022 not to be given effect up to 29.02.2024, as such, in paragraph 15 of the said order dated 18.11.2023, it has been wrongly shown that the appellant (opposite party No.1) should be released on 29.04.2024. Hence, prayed for necessary correction of the said date i.e. 29.04.2024 to 29.02.2024.

5. After hearing the learned counsel for the parties, we accordingly modify/correct that at paragraph 15 of the order dated 18.11.2023 in Writ Appeal No. 423/2023 (Abhiram Das –vs- The State of Assam and six others), the

date 29.04.2024 shall now be read as 29.02.2024.

6. This order shall be read together with the order dated 18.11.2023 passed in Writ Appeal No. 423/2023.

7. With the above observations and direction, this interlocutory application stands disposed of.

JUDGE

JUDGE

Comparing Assistant