GAHC010099492026

2026:GAU-AS:8904

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

Case No. : WP(C)/2677/2026

SHRI SAMAR BIJOY NATH MOZUMDAR
SON OF LT. JNANENDRA NATH MOZUMDAR, AGED ABOUT 76 YEARS,
C.M.H.S. SCHOOL ROAD, RANGABAK, PT-II, DISTRICT- HAILAKANDI,
ASSAM, PIN-788161, PHONE-9435377969.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, PIN-781006, GUWAHATI-6.

2:THE DISTRICT COMMISSIONER
DISTRICT- HAILAKANDI
ASSAM
PIN-788151.

3:THE CIRCLE OFFICER
KATLICHERRA REVENUE CIRCLE
DISTRICT- HAILAKANDI
ASSAM
PIN- 788151.

4:THE DISTRICT REGISTRAR
HAILAKANDI
ASSAM
PIN-788151

Advocate for the Petitioner : MR. A Y CHOUDHURY, MR. AHMAD SAKIR

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

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 19.06.2026

Heard Mr. A.Y. Choudhury, learned counsel for the petitioner; Ms. N. Bordoloi, learned Standing Counsel, Revenue Department for the respondent no. 1; and Mr. N. Goswami, learned Junior Government Advocate, Assam for the respondent nos. 2 – 4.

2. The petitioner has stated that he is the owner and Pattadar of a plot of land measuring 4 Bighas 14 Chataks 9 Gondas, situate at Mouza – Rongpur Part – I, P.S. – Vernerpur, Katlicherra Revenue Circle and covered by Patta no. 180 [N : 217] Dag no. 749 [N : 875], Patta no. 160 [N : 3], Dag no. 750 [N : 876], 751 [N : 877], 752 [N : 878] ['the subject-plot', for short]. As the petitioner is in need of money, the petitioner agreed to a proposal to sell the subject-plot in favour of an intending purchaser at an agreed consideration. To that effect, an Agreement for Sale was executed into. Thereafter, the petitioner submitted Applications no. 497, 491, and 499 before the respondent authority seeking permission for No Objection Certificate/Composite Land Sale Transfer on 27.01.2026. The petitioner has approached this court by the instant writ petition as neither No Objection Certificate nor Permission for Composite Land Cell Transfer has been provided till date.

3. When the writ petition was listed on 22.05.2026, the learned State respondents were asked to obtain instruction about the status of the application filed by the petitioner for No Objection Certificate/Composite Land Sale Transfer permission.

4. Today, Mr. Goswami, learned Junior Government Advocate, Assam has submitted, on receipt of instruction from the office of the respondent no. 2 in writing, that the application of the petitioner submitted for No Objection Certificate/Composite Land Sale Transfer has been duly considered and after consideration, by an Order dated 29.05.2026, the application has been rejected.

5. Mr. Goswami has submitted that the application has been rejected not on merits or not

due to any defect in title, but due to deficiencies in the documents submitted along with the application. The authority has observed that if the applicant files a fresh application along with the requisite documents and extends full cooperation during the field verification, etc. the application would be processed afresh and would be disposed of in accordance with the prevailing Government rules, guidelines and procedures.

6. Mr. Goswami has undertaken to serve a copy of the Order dated 29.05.2026 along with the minutes of the meeting of the District Level Committee [DLC] held on 19.02.2025 to the learned counsel for the petitioner so as to enable the petitioner to take appropriate steps.

7. In view of the fact that the application submitted by the petitioner for No Objection Certificate/Composite Land Sale Transfer has already been disposed of by way of an Order dated 29.05.2026, there is no necessity to proceed further with this writ petition. If the petitioner finds himself aggrieved by the order of disposal of the application, it is open for the petitioner to seek recourse to remedy as permissible under the law. It is also open to the petitioner to file an application afresh by meeting the deficiencies of the earlier application for consideration of the authority concerned.

JUDGE

Comparing Assistant