GAHC010154122026

2026:GAU-AS:16165

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

Case No. : WP(C)/3941/2026

SHRI BISHNU BRAHMA
S/O GANESH BRAHMA, RESIDENT OF VILLAGE- DEORIGAON, P.O.- GERUA BAZAR, DISTRICT- UDALGURI BTR, PIN-784514, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, DEPARTMENT OF ENVIRONMENT AND FOREST, DISPUR, GUWAHATI-06.

2:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF FOREST FORCE
ASSAM
GUWAHATI-37.

3:THE ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FOREST CUMCHD
BTC
KOKRAJHAR
ASSAM
PIN NO. 783370.

4:THE DIVISIONAL FOREST OFFICER
DHANSIRI FOREST DIVISION
UDALGURI BTC
ASSAM
PIN NO.784509.

5:THE RANGE OFFICER
DHANISRI FOREST DIVISION
UDALGURI

ASSAM
PIN-784509

6:THE ASSISTANT CONSERVATOR OF FOREST ACF

DHANSIRI FOREST DIVISION
UDALGURI
ASSAM
PIN784509

Advocate for the Petitioner : MR. I H LASKAR, R BORAH,MR. P K DEKA,MR. P DAIMARY,MS. N M LONGKENG,J MEDHI

Advocate for the Respondent : SC, FOREST, SC, BTC

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

04.11.2026

1. Heard Mr. P. K. Deka, learned counsel for the petitioner. Also heard Mr. N. R. Sarmah, learned Standing Counsel for the BTC.

2. The case projected by the petitioner is that the petitioner was duly settled with the Rangapani S. S. Mahal under the Dhansiri Forest Division, Udalguri for a period of 7 (seven) years under a lease agreement dated 01.11.2024.

3. It is the allegation of the petitioner that since August, 2025, the operation of the said Mahal has been obstructed by unlawful interference by some private persons and as a result, the petitioner was unable to continue operating the said Mahal, collect the revenue, and pay the royalty.

4. Being situated thus, the petitioner filed a representation before the authorities seeking an enquiry; protection for the Mahal and for remission or reduction of royalty for such losses incurred in the process.

5. Accordingly, the present writ petition is field with a further prayer that a direction be issued to the respondent authorities to protect the petitioner to continue peaceful possession and operation of the Mahal and with a further prayer for consideration of the representation and not to take any coercive action for the default in payment of loyalty, which according to the petitioner was not due to his fault.

6. Mr. N. R. Sarmah, learned Standing Counsel for the BTC on 16.09.2026, produced an instruction, which goes to show that the possession was handed over to the petitioner by protecting him from the miscreants and the petitioner also admits that since the month of September, 2026, the petitioner has been running his Mahal without any interruption.

7. As regards the consideration of representation, Mr. Sarma, learned Standing Counsel for the BTC, on instruction submits that the petitioner has filed a representation today itself before the Divisional Forest Officer, Dhansiri Forest Division, Udalguri, Assam, and he has instructions to submit that the competent authority shall consider such representation in accordance with law.

8. In view of the aforesaid and as agreed to by the learned counsel for the parties, the present writ petition stands disposed of by directing the competent authorities in the BTC to consider the representation filed by

the petitioner before the authorities and thereafter, take a final call on such representation as per law and pass a speaking order in this regard.

9. The entire exercise shall be carried out within a period of one month from the date of receipt of a certified copy of this order passed today to be furnished by the petitioner before the competent authorities.

10. This writ petition stands disposed of.

JUDGE

Comparing Assistant