GAHC010187162026

2026:GAU-AS:15311

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

Case No. : I.A.(Civil)/3099/2026

MD YAKUB ALI
SON OF MD. ISHAHAQUE ALI, RESIDENT OF JAPIHAJIA, P.O.-RAJMAI, P.O.-DEMOW, DISTRICT-SIVASAGAR, ASSAM.

VERSUS

SHRI HIREN SENSUA BARUAH AND ORS
, SON OF LATE KHAGEN BARUAH, RESIDENT OF TOWRA, JAPISAJIA, POST OFFICE- P.S.- DEMOW, DISTRICT-SIVASAGAR, ASSAM, PIN-785671.

2:THE STATE OF ASSAM

REPRESENTED BY THE CHIEF SECRETARY
GOVERNMENT OF ASSAM. DISPUR
GUWAHATI
PIN781006.

3:THE DISTRICT COMMISSIONER

SIVASAGAR
DISTRICT- SIVASAGAR
PIN785640
ASSAM.

4:THE CO DISTRICT COMMISSIONER
DEMOW
P.O. P.S.- DEMOW
PIN785662
ASSAM.

5:THE CIRCLE OFFICER
DEMOW REVENUE CIRCLE

P.O. P.S.- DEMOW
PIN785662
DISTRICT- SIVASAGAR
ASSAM

Advocate for the applicant(s): Mr. TR Sarma

Advocate for the respondent(s): Mr. UK Goswami
For opposite party No.1
Mr. J Handique, Govt. Advocate

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

09.10.2026

Heard Mr. TR Sarma, the learned counsel appearing on behalf of the applicant. Mr. UK Goswami, the learned counsel appears on behalf of the writ petitioner/opposite party No.1 and Mr. J Handique, the learned Government Advocate, Assam.

2. This is an application filed by the applicant seeking impleadment as respondent No.5 in the accompanying writ petition being WP(C)No.5295/2025 on the ground that in respect to the dispute involved in the writ petition the applicant has an interest, *inasmuch as* the applicant has entered into an agreement for sale with the writ petitioner for sale of the land which have been acquired, and, therefore, the applicant also have a right for the compensation.

3. Mr. U.K. Goswami, the learned counsel appearing on behalf of the writ petitioner has submitted that the petitioner had filed an objection on the ground

that the agreement for sale with the applicant has been cancelled and the applicant had received double the amount of the advance received.

4. Taking into account that the issue involved in the accompanying writ petition concerns the dispute between the applicant and the writ petitioner, this Court is of the opinion that the applicant herein though not a necessary party, but is a proper party to the accompanying writ petition.

5. Accordingly, this Court impleads the applicant as the respondent No.5 to the accompanying writ petition.

6. The learned counsel appearing on behalf of the petitioner is directed to file a fresh memo of parties before the Registry of this Court within 3(three) days from today and the Registry shall, on the basis thereof, make necessary correction in the cause title and update the same in the CIS.

7. Interlocutory application, accordingly, stands disposed of.

JUDGE

Comparing Assistant