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2026:GAU-AS:16003

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

Case No. : WP(C)/6084/2022

SOFIQUL HUSSAIN
S/O- LT. ABU HOSSEN, R/O- VILL- KADAMTOLA PT-II, P.O. AND P.S. BILASIPARA, DIST.- DHUBRI, (ASSAM), PIN- 783348

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM, DISPUR, GHY-06

2:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT.
DISPUR
GHY-06

3:THE DY. COMMISSIONER
DHUBRI
ASSAM

4:THE ADDL. DY. COMMISSIONER
DHUBRI

5:THE SUB-DIVISIONAL OFFICER (CIVIL)
BILASIPARA SUB-DIVISION
BILASIPARA
DIST.- DHUBRI
ASSAM

6:THE CIRCLE OFFICER
BILASIPARA REVENUE CIRCLE
DIST.- DHUBRI
ASSAM

7:THE ASSTT. FISHERY OFFICER
DHUBRI

DIST.- DHUBRI
ASSAM
PIN- 78330

Advocate for the Petitioner : MR. M U MONDAL, MR K ISLAM,MR A ALIM SK,MD. I H KHAN

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

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 02.11.2026

1. Heard Mr. MU Mondal, learned counsel for the petitioner. Also heard Mr. BJ Talukdar, learned senior Govt. Advocate appearing for respondent Nos.1, 3 and 4 to 7 and Mr. A Bhattacharyya, learned counsel for respondent No.2.

2. The petitioner claims to have been possessing a plot of land measuring 5B-2K-10L, covered by Dag No. 218, Khatian No. 35 at village Sogunmari Pt.II, under Bilasipara Revenue Circle, District Dhubri, since last 80 years from the days of their great-grandfather and parents.

3. The grievance of the petitioner is that the respondent authorities proposed to allot the aforesaid plot of land to Milijuli NGO, Kadamtola Part II, for a fishery.

4. The respondent State has filed an affidavit clarifying their position. In the affidavit-in-opposition filed by the Circle Officer, Bilasipara Revenue Circle, the following facts are contended:

i. A plot of land measuring 2B, 1K, 13L covered by Dag No. 307/216 under revenue village Sogunmari Pt.II, Circle Bilasipara, is recorded in the name of late Tosor Uddin SK, son of late

Amatullah SK, as Pattadar/Khatiandar as per Khatian No. 83.

ii. The said Tosor Uddin, son of late Amatullah SK, is not found as Pattadar/Khatiandar of the Dag Nos. 217, 218, 219 of revenue village Sogunmari Pt. II.

iii. The land proposed for establishment of fishery is at village Kadamtolla Pt.II under Bilasipara Revenue Circle and is a separate plot of land, and the petitioner is not having any possession over the said land.

iv. The proposed fishery land is not related to the land measuring 5B, 2K, 10L covered by Dag No. 218 (old), 333 (new) under revenue village Sogunmari Part II of Bilasipara Revenue Circle.

5. In view of the aforesaid stand of the respondents, Mr. Mondal, learned counsel for the petitioner submits that the land claimed by the petitioner is not the subject matter of the proposed fishery and therefore, the apprehension expressed by the petitioner is redressed. Accordingly, the petitioner seeks to withdraw the petition with a liberty to file a fresh petition, if any cause of action arises in future.

6. Prayer stands allowed.

7. The writ petition stands dismissed on withdrawal with the liberty, as prayed for.

JUDGE

Comparing Assistant