GAHC010206222023

2026:GAU-AS:15473

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

Case No. : WP(C)/5376/2023

SMT. NEHA HAFLONGBAR
D/O LATE RAJENDRA HAFLONGBAR ALIAS RAJEN HAFLONGBAR, W/O SRI ADITYA BHATTACHARYA, A R/O LADIES PARK, GADAIN RAJI, HAFLONG TOWN, BLOCK VI, LAKE VIEW ROAD, P.O. AND P.S.-HAFLONG, PIN-788819, DIST- DIMA HASAO, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, GUWAHATI-781006, ASSAM

2:THE PRINCIPAL SECRETARY
DIMA HASAO AUTONOMOUS COUNCIL
DIMA HASAO
HAFLONG
PIN-788819

3:THE PRINCIPAL SECRETARY (N)
DIMA HASAO AUTONOMOUS COUNCIL
DIMA HASAO
HAFLONG
PIN-788819

4:THE SECRETARY
REVENUE
DIMA HASAO AUTONOMOUS COUNCIL
DIMA HASAO
HAFLONG
PIN-788819

5:THE ADDITIONAL SECRETARY AND REVENUE OFFICER
DIMA HASAO AUTONOMOUS COUNCIL
DIMA HASAO
HAFLONG
PIN-788819

6:SMT. AVANTIKA HAFLONGBAR
D/O LATE RAJENDRA HAFLONGBAR ALIAS RAJEN HAFLONGBAR
W/O SRI DANIEL LANGTHASA
A R/O SAINJA RAJI
HAFLONG TOWN
PIN-788819
P.O. AND P.S.-HAFLONG
DIST-DIMA HASAO
ASSA

Advocate for the Petitioner : MR. S D PURKAYASTHA, MS S.S.BORA

Advocate for the Respondent : SC, REVENUE, MR R M DAS,MR B MALAKAR(R6),SC, DIMA HASAO

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 13.10.2026

1. Heard Mr. SD Purkayastha, learned counsel for the writ petitioner.

2. The petitioner is aggrieved by the notification dated 17.06.2023, issued by the Secretary to the Govt. of Assam, Revenue and Settlement Department, Dima Hasao Autonomous Council, Dima Hasao, whereby it was notified that in the case of male/female persons belonging to the indigenous tribal community, if married to a person belonging to a non-tribal community, all the rights over the land as tribals for the district of Dima Hasao shall cease to exist.

3. Based on such notification, the entire landed property of

Late Rajendra Haflongbar, the father of the petitioner and respondent No.6 was mutated in favour of the respondent No.6 ignoring the claim of the petitioner and accordingly, an order dated 19.06.2023 was passed, which is also under challenge.

4. During the course of the hearing, Mr. RM Das, learned Standing counsel, Dima Hasao Autonomous Council, Haflong submits that the Principal Secretary has issued a notification dated 12.10.2026, whereby, the notification dated 17.06.2023 has been withdrawn. It was further notified that the aforesaid notification shall cease to operate w.e.f the date of issuance of this withdrawal notification, and this withdrawal shall remain in force until further orders.

5. It is important to record that pursuant to this Court's interim order dated 18.09.2023, the subsequent order dated 19.06.2023, mutating the land in favor of the respondent no.6, was suspended and the name of the original pattadar namely, Late Rajendra Halflongbar was restored until further orders.

6. In the aforesaid factual backdrop, this writ petition survives no further cause of action.

7. Accordingly, the writ petition stands closed.

8. However, it is made clear that the entire determination as regards the mutation, etc shall be subject to the outcome of the probate proceeding i.e. Misc (Probate) Case No.1/2021, pending before the learned District Judge, Dima Hasao.

JUDGE

Comparing Assistant