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2026:GAU-AS:14882

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

Case No. : WP(C)/5269/2026

ABDUL JALIL SK ALIAS SHEIKH
S/O LATE INSAN ALI ALIAS INSAN ALI SK., RESIDENT OF VILLAGE GERAMARI PART-I, BASHBARI GAON, P.O. ALOMGANJ, P.S. GAURIPUR, DISTRICT-DHUBRI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE GOVERNMENT OF ASSAM, REVENUE DISASTER MANAGEMENT DEPARTMENT, DISPUR, GUWAHATI781006.

2:THE DISTRICT COMMISSIONER CUM DISTRICT REGISTRAR

DHUBRI
DISTRICT-DHUBRI
ASSAM.PIN783301

3:THE INSPECTOR GENERAL OF REGISTRATION
ASSAM. OFFICE OF THE DIRECTOR OF LAND RECORDS AND SURVEYS
ASSAM RAJAH BHAWAN
RUPNAGAR
GUWAHATI-781032.

4:THE SENIOR SUB-REGISTRAR
DHUBRI
DISTRICT-DHUBRI
ASSAM.PIN7-83300

Advocate for the Petitioner : MS DHRITI HAZARIKA, MRS. S ROY

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

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 05-10-2026

Heard Ms. S. Roy, learned counsel for the petitioner; Mr. A. Bhattacharyya, learned Standing Counsel, Revenue & Disaster Management Department for the respondent nos. 1 & 3; and Ms. M. Barman, learned Junior Government Advocate, Assam for the respondent nos. 2 & 4.

2. Having regard to the issues raised by the writ petitioner in this writ petition under Article 226 of the Constitution of India, the writ petition is taken up for disposal at the motion stage itself, as sought for by the learned counsel for the parties.

3. It is the case of the petitioner that he purchased two parcels of land, hereinafter referred to as 'the subject-plot no. 1' and 'the subject-plot no. 2' respectively, from a vendor named Md. Baktar Ali Sheikh by way of Registered Sale Deed bearing no. 2403 dated 30.12.1998, which was registered before the office of the Sub-Registrar, Dhubri.

4. It is stated that the description of subject-plot no. 1 had been described in Schedule-'Ka' of the registered Sale Deed. Schedule 'Ka' comprises of two plots of land, namely, [i] an area measuring 1 Bigha, covered by Dag no. 371[Old] / Dag no. 525 [New] and [ii] an area measuring 1 Bigha 14 Lessas, covered by Dag no. 1177 [Old] / Dag no. 524 [New].

5. It is stated that the description of subject-plot no. 2 had been described in

Schedule - 'Kha' of the registered Sale Deed. Schedule 'Kha' comprises of two plots of land, namely, [i] an area measuring 2 Kathas, covered by Dag no. 1213 [Old] / Dag no. 527 [New] and [ii] an area measuring 2 Kathas, covered by Dag no. 1214 [Old] / Dag no. 526 [New].

6. All the plots of land have come under Patta no. 539 [new].

7. It is stated that the Sale Deed was duly presented for registration on 30.12.1998 and its execution was admitted by the vendor before the competent authority. Upon completion of the registration formalities, the Registered Sale Deed was returned to the petitioner and the corresponding copy was transcribed and preserved in the statutory records of the Registration Office. The corresponding transcription of the aforesaid registered Sale Deed is maintained in Volume Book no. 15/98 in the office of the respondent no. 4.

8. The cause of action for filing the present writ petition, according to the petitioner, has arisen after the petitioner obtained a certified copy of the afore-mentioned Registered Sale Deed from the Registration Office. It is stated that when after obtaining a certified copy of the Registered Sale Deed no. 2403 from the office of the respondent no. 4, the petitioner compared the same with the original copy of the Registered Sale Deed already in his possession, the petitioner discovered that a description of the plots of land had not been correctly made in the Volume Book no. 15/98 maintained in the office of the respondent no. 4.

9. The petitioner has stated that highlighting the discrepancies contained in Volume Book no. 15/98 maintained by the office of the respondent no. 4, he has submitted an application to carry out the corrections in the Volume Book

relating to Registered Sale Deed no. 2403 dated 30.12.1998 before the respondent no. 4 on 20.07.2026 with copies to the respondent no. 2 and the respondent no. 3 to remove the discrepancies in the land particulars in the Volume Book no. 15/98 in conformity with the original copy of the Registered Sale Deed.

10. As the application has been kept pending by the respondent no. 4, the petitioner is before this Court by the present writ petition seeking a direction to the respondent authorities, more particularly, the respondent no. 4 to dispose of the petitioner's application dated 20.07.2026 in accordance with law.

11. Mr. Roy, learned counsel appearing for the State respondents has submitted that the issue highlighted by the petitioner in its Representation dated 20.07.2026 would require examination of the original records maintained in the office of the respondent no. 4, more particularly, Volume Book no. 15/98. It has been submitted that for disposal of the Representation, examination of such original records by the respondent no. 4 who is the custodian of such records, would be necessary and therefore, the writ petition may be disposed of with a direction to the respondent no. 4 to dispose of the Representation of the petitioner, stated to have been submitted before him on 20.07.2026, by passing a speaking order after examination of the original records maintained at his office.

12. Ms. Roy has also agreed to the submission of the learned counsel for the State respondents.

13. In view of the broad consensus arrived at by the learned counsel for the parties in the afore-stated manner, and considering the fact that for disposal of

the Representation dated 20.07.2026 the respondent no. 4 would require to examine the records maintained at his office as well as the original Registered Sale Deed to be submitted by the petitioner, this Court is of the considered view that instead of keeping this writ petition pending, the same can be disposed of with a direction to the respondent authorities, more particularly, the respondent no. 4 to take the Representation, stated to have been submitted by the petitioner before him on 20.07.2026, on board and dispose of the same by way of a speaking order after examination of the records pertaining to the Registered Sale Deed under reference, maintained at his office, more particularly, Volume Book no. 15/98 and the original copy of the Registered Sale Deed no. 2403 dated 30.12.1998. It is accordingly ordered. It is further observed that the respondent no. 4 shall complete the exercise as expeditiously as possible, but within an outer limit of 2 [two] months from the date of submission of a copy of this Order along with a copy of the writ petition along with annexures by the petitioner at his office. It is further observed that if the respondent no. 4 requires examination of the original copy of the Registered Sale Deed no. 2403 then the respondent no. 4 shall put the petitioner on notice to that effect.

14. With the observations made and directions given above, the writ petition is disposed of.

JUDGE

Comparing Assistant