GAHC010213262026

2026:GAU-AS:15535

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

Case No. : Review.Pet./167/2026

SHANTANU DAS AND 23 ORS
S/O LATE AMARENDU DAS, VILLAGE- KASHIPUR PART- I, P.O.- KASHIPUR, P.S.- SILCHAR SADAR, DISTRICT- CACHAR, ASSAM

2: NIJAM UDDIN LASKAR
S/O LT ALI RAJA LASKAR VILL RONGPUR PART 1 PO RAONGPUR PS SILCHAR SADAR DIST CACHAR ASSAM

3: SALIM UDDIN LASKAR
S/O LT ABRU MIA LASKAR VILL RONGPUR PART 1 PO RONGPUR PS SILCHAR SADAR DIST CACHAR ASSAM

4: REXONA BEGUM CHOUDHURY
W/O SAMINUL ISLAM CHOUDHURY VILL RONGPUR PART 1 PO NUTAN DAYAPUR PS SILCHAR DIST CACHAR ASSAM

5: SAMINUL ISLA MAZUMDAR
S/O LT HAZI BASIR UDDIN MAZUMDAR VIL RONGPUR PART 1 PO NUTUN DAYAPUR PS SILCHAR DIST CACHAR ASSAM

6: NAZRUL HUSSAIN LASKAR
S/O LT ALI RAJA LASKAR VIL RONGPUR PART 1 PO NUTUN DAYAPUR PS SILCHAR DIST CACHAR ASSAM

7: AYOJ ALI BARBHUIYA
S/O LT TAJMUL ALI BARBHUIYA VIL AND PO NUTUN DAYAPUR PS SILCHAR DIST CACHAR ASSAM

8: IKBAL HUSSAIN LASKAR
S/O LATE RAMIZUDDIN LASKAR
VILLAGE-KASHIPUR PART-I

P.O.-KASHIPUR
P.S.-SILCHAR

DISTRICT-CACHAR
ASSAM

9: BILAL AHMED MAZUMDAR
S/O ABDUL KUDDUS MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-NUTAN DAYAPUR

P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM.

10: ANSER HUSSAIN MAZUMDAR
S/O NIZAMUDDIN MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-RONGPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM.

11: KALAM HUSSAIN LASKAR
S/O LATE ASAM UDDIN LASKAR
VILLAGE AND P.O.-NUTAN DAYAPUR

P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

12: RAIM UDDIN LASKAR
S/O SONA MIA LASKAR
VILLAGE-KASHIPUR PART-II

P.O.-KASHIPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

13: NURUL HUSSAIN LASKAR
S/O MASAID ALI LASKAR
VILLAGE-KASHIPUR PART-II

P.O.-KASHIPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

14: SABANA BEGUM BARBHUIYA
D/O ABDUL MANNAN BARBHUIYA
VILLAGE-RONGPUR PART-I

P.O.-RONGPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

15: SARIF UDDIN MAZUMDAR
S/O LATE NUR UDDIN MAZUMDAR
VILLAGE-KASHIPUR PART-II

P.O.-KASHIPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM.

16: IMRAN HUSSIAN MAZUMDAR
S/O NIZAM UDDIN MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-RONGPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

17: BAHARUL AHMED MAZUMDAR
S/O MOIN UDDIN MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-RONGPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

18: RAKHEE BEGUM CHOUDHURY
W/O NAZRUL ALAM MAZUMDAR
VILLAGE AND P.O.-BERENGA PART-II

P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

19: IBJARUL AHMED MAZUMDAR
S/O MOIN UDDIN MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-ARKATIPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

20: PIKLUK UDDIN MAZUMDAR
S/O RAHIM UDDIN MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-RONGPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

21: F SURACHANDRA SINGHA
S/O LATE KRISHNA MOHAN SINGHA
VILLAGE-NUTAN DAYAPUR

P.O.-ARKATIPUR
P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

22: ATAUR RAHMAN BARBHUIYA
S/O ABDUL KHALIQUE BARBHUIYA
VILLAGE AND P.O.-NUTAN DAYAPUR

P.S.-UDHARBONDH
DISTRICT-CACHAR
ASSAM.

23: HALIMA BEGUM MAZUMDAR
W/O IMRAN HUSSAIN MAZUMDAR
VILLAGE-RONGPUR PART-I

P.O.-NUTAN DAYAPUR

P.S.-SILCHAR
DISTRICT-CACHAR
ASSAM

24: RAJARSHI BHATTACHARJEE
S/O LATE RAMKRISHNA BHATTACHARJEE
VILLAGE-SATSANG ASHRAM ROAD

P.O.-VIBAKANANDA ROAD

P.S.-SILCHAR

DISTRICT-CACHAR
ASSA

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN -1, PARLIAMENT STREET, NEW DELHI- 110001

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GHY-6.

3:THE DISTRICT COMMISSIONER AND COMPETENT AUTHORITY OF LAND ACQUISTION CACHAR SILCHAR
SILCHAR

4:THE CO DISTRICT COMMISSIONER AND COMPETENT AUTHORITY OF LAND ACQUISITION CACHAR
CACHAR

5:THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPEMENT CORPORATION LTD (NHIDCL)
REPRESENTED BY THE DEPUTY GENERAL MANAGER
NHIDCL
CACHAR
SILCHAR

6:THE SUPERINTENDING ENGINEER
PWD BUILDING
CACHAR
SILCHAR

7:THE EXECUTIVE ENGINEER
PWD
BUILDING DIVISION
UDHARBOND
LAKHIPUR
BORKHOLA AND KATIGORAH BUILDING DIVISION
CACHAR
SILCHA

For the Petitioner (s) : Mr. F. U. Barbhuiya, Advocate

For the Respondent(s) : Ms. A. Jain, Advocate
Mr. J. Handique, Govt. Advocate
Mr. R. K. Talukdar, SC, NHIDC

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

13.10.2026

Heard Mr. F. U. Barbhuiya, the learned counsel appearing on behalf of the Review Applicants. Ms. A. Jain, the learned counsel appears on behalf of the Union of India; Mr. R. K. Talukdar, the learned counsel appears on behalf of NHIDC and Mr. J. Handique, the learned counsel appears on behalf of the Competent Authority of Land Acquisition.

2. This is an application seeking review of the order dated 23.06.2026 passed in WP(C) No.2845/2025 and WP(C) No.3135/2025 whereby this Court had observed that the grievance of the Petitioners who are the Review Applicants in the present proceedings is as regards the non-payment of the compensation for the land.

3. It is the submission of the learned counsel appearing on

behalf of the Review Applicants that in respect to the land, the land owners have received the compensation for which the Review Applicants have no claim whereas the Review Applicants' claim is only for the zirat and this aspect is not clearly spelt out in the order dated 23.06.2026 which necessitated the filing of the review application.

4. This Court having heard the learned counsels appearing on behalf of the parties is of the opinion that for the interest of justice and for clarity, this Court observes that the grievance of the Petitioners in WP(C) No.2845/2025 and WP(C) No.3135/2025 who are the Review Applicants before this Court are only limited to non-payment of the zirat, and as such, the Competent Authority of Land Acquisition is directed to decide the said aspect and if the question of entitlement and apportionment of the zirat involves complex questions of facts, this Court directs the Competent Authority of Land Acquisition who have been appointed in respect to the acquisition of land from K.M. 4.560 to K.M. 24.560 pursuant to the Notification No.S.O.428E dated 02.02.2024 to refer the dispute to the learned District Judge, Cachar at Silchar so that the dispute as to the entitlement or apportionment of the zirat compensation can be adjudicated in terms with Section 3H(4) of the National Highways Act, 1956.

5. With the above clarification, the instant review application

stands closed.

6. It is further observed that the instant order shall be a part of the order dated 23.06.2026.

JUDGE

Comparing Assistant