GAHC010224272025

2026:GAU-AS:14774

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

Case No. : WP(C)/5909/2025

ANJUMA BEGUM
W/O SAHIDUR RAHMAN, D/O JOYNAL ABEDIN, RESIDENT OF FAIRANIJHAR PART-1, P.O- BARKANDA, P.S- BILASIPARA, DIST- DHUBRI, ASSAM, PIN- 783348

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR, GHY-06

2:THE SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GHY- 06

3:THE DISTRICT COMMISSIONER
DHUBRI
ASSAM
PIN 783301

4:THE SUB DIVISIONAL OFFICER (CIVIL)
BILASIPARA
CUM CO-DISTRICT COMMISSIONER
BILASIPARA
PIN 783348

5:THE CIRCLE OFFICER
BILASIPARA REVENUE CIRCLE
DIST- DHUBRI
ASSAM
PIN- 783348

6:MONOWAR HUSSAIN
S/O MOTIYAR RAHMAN
RESIDENT OF HAKAMA PART III
P.O- HAKAMA
P.S- BILASIPARA
DIST- DHUBRI
ASSAM
PIN- 783348

7:BALIJA KHATUN
W/O MONOWAR HUSSAIN
RESIDENT OF HAKAMA PART III
P.O- HAKAMA
P.S- BILASIPARA
DIST- DHUBRI
ASSAM
PIN- 783348

8:SOLIMA KHATUN
W/O ABDUL HAI PRADHANI
RESIDENT OF HAKAMA PART III
P.O- HAKAMA
P.S- BILASIPARA
DIST- DHUBRI
ASSAM
PIN- 78334

Advocate for the Petitioner : MR. M U MONDAL, S S AHMED,MR A ALIM SK,MR K ISLAM

Advocate for the Respondent : GA, ASSAM, P BURAGOHAIN(R-6,7),MR S C DAS (R-6,7),SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05.10.2026

1. Heard Mr. MU Mondal, learned counsel for the petitioner.

2. The petitioner claims to be the owner of land

measuring 2 bighas, 2 kathas, 0 lechas, covered by Kheraji Miyadi Patta No. 57 under Dag No. 48 at village Hakama Pt-I (Town) under Bilasipara Revenue Circle, District Dhubri, Assam.

3. However, alleging inaction on their part, the petitioner approached this court by filing WP(C) No.2623/2025.

4. This court, by order dated 24-06-2025, disposed of the writ petition, holding that if any application is filed under the Assam Right to Public Service Act, 2012, the authorities are duty-bound to consider such application and carry out demarcation.

5. However, taking note of the dispute with the private respondents, this Court observed that even if demarcation is carried out, possession of either the petitioner or respondent Nos. 6 & 7 shall not be disturbed.

6. The petitioner again approached this Court by filing WP(C) No.6613/2024, with a grievance that, pursuant to the aforesaid order dated 24.06.2025, the petitioner approached the authority; however, such application was not decided, and accordingly, the petitioner preferred a Second Appeal before the Appellate Authority, which has also not been determined. Accordingly, the present petition is filed.

7. The learned State counsel, however, pointed out that the appeal was filed before the Commissioner and Secretary to the Revenue and Disaster Management Department; however, the Appellate Authority constituted under the Act 2012 is the Assam State Commission for Right to Public Service. It is submitted that, if such an appeal is preferred before the said appellate authority, it

shall be duly considered.

8. This Court is also of the opinion that the petitioner shall be given liberty to file the second appeal afresh before the appropriate forum, i.e., the Assam State Commission for Right to Public Service, within 15 days from today. Ordered accordingly.

If such an application is filed within 15 days, it may be registered and taken for hearing without insisting on the prescribed period of limitation.

9. This disposes of the writ petition.

JUDGE

Comparing Assistant