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2026:GAU-AS:15411

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

Case No. : WP(C)/6132/2025

NIZAM UDDIN AHMED @ NIZAM ALI
S/O- LATE YAKUB ALI, VILL.- LOWER MIRZAPUR, P.O. AND P.S.- AZARA, DIST.- KAMRUP (M), ASSAM, PIN- 781017

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, GUWAHATI- 781006

2:THE DISTRICT COMMISSIONER
KAMRUP METROPOLITAN DISTRICT
GUWAHATI
(LAND ACQUISITION BRANCH)

3:THE ADDITIONAL DISTRICT COMMISSIONER AND I/C
LAND ACQUISITION BRANCH
KAMRUP METROPOLITAN DISTRICT
GUWAHATI

4:THE DISTRICT OFFICER (SADAR)
I/C LAND ACQUISITION BRANCH
KAMRUP METROPOLITAN DISTRICT
GUWAHATI

5:THE CIRCLE OFFICER (A)
AZARA REVENUE CIRCLE
AZARA
PIN- 78101

For the Petitioner(s) : Ms. S. B. Choudhury, Advocate

For the Respondent(s) : Mr. J. Handique, Jr. GA, Assam
: Ms. G. Hazarika, SC, Revenue

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 12.10.2026

Heard Mr. S. B. Choudhury, the learned counsel appearing on behalf of the Petitioner and Ms. G. Hazarika, the learned Standing counsel appearing on behalf of the Respondent No.1. I have also heard Mr. J. Handique, the learned Junior Government Advocate appearing on behalf of the Respondent Nos. 2 to 5.

2. The Petitioner herein is aggrieved by a notice dated 04.04.2025 issued under Section 7(1) of the Assam Land (Requisition and Acquisition) Act, 1964 (for short 'the Act of 1964') on the ground that apart from the Petitioner, there are various persons who have been issued the said notice in respect to the land belonging to the Petitioner.

3. It is the specific case of the Petitioner that the Petitioner is the owner of a plot of land admeasuring 3 Katha 19 Lechas covered by Patta No.512 of Dag No.1274 under Mouza Ramcharani in the village Garal, Azara Revenue Circle in the

district of Kamrup (Metro), Assam. For the purpose of constructing the six lane under the PM Divine Programme and SOPD(G) in the village Garal under Ramcharani Mouza, a land acquisition proceedings being L.A. Case No.13/2024 has been registered.

4. The Petitioner initially was issued a notice dated 04.04.2025 wherein the dag number and the patta number had been wrongly mentioned. Subsequently, vide a communication dated 16.07.2025, the Circle Officer, Azara Revenue Circle, Azara informed the Additional District Commissioner and In-Charge Land Acquisition Branch that the dag number and patta number in respect to the Petitioner's land should be Dag No.1274 and Patta No.512. Subsequent thereto, a notice was issued under Section 7(1) of the Act of 1964 in respect to Dag No.1274 and Patta No.512.

5. The grievance of the Petitioner is that the said land belongs to the Petitioner and as such the names of the other persons should not have been mentioned.

6. This Court finds it relevant to take note of that a notice under Section 7 of the Act of 1964 is merely a notice to the persons interested to place before the Collector as regards their interest in respect to the land and to claim necessary

compensation in accordance therewith. It is a process by which the award is to be made.

7. Considering the above, it is therefore the opinion of this Court that the question of interference with the said notice dated 04.04.2025 does not arise in the present proceedings inasmuch as the Petitioner can very well on the basis of the said notice dated 04.04.2025 submit the necessary claim along with the relevant details in support of the claim for the land sought to be acquired..

8. In that view of the matter, this Court does not find any good ground for interference with the impugned notice dated 04.04.2025 for which the writ petition stands dismissed.

9. Be that as it may, the Petitioner would be at liberty to submit the necessary claims before the Collector, if so advised.

10. Interim order passed earlier stands vacated.

JUDGE

Comparing Assistant