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

Case No. : WP(C)/6024/2026

ENAMUL HOQUE
SON OF MD. ALI, RESIDENT OF VILLAGE ALOMGANJ PART VII, P.S. GAURIPUR, DISTRICT DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE DISTRICT COMMISSIONER
DHUBRI
DISTRICT DHUBRI
ASSAM.

3:THE ADDITIONAL DISTRICT COMMISSIONER (REVENUE)
DHUBRI
DISTRICT DHUBRI
ASSAM.

4:THE CIRCLE OFFICER
GAURIPUR REVENUE CIRCLE
DISTRICT DHUBRI
ASSA

Advocate for the Petitioner : MRS. S ROY, MS DHRITI HAZARIKA
Advocate for the Respondent : GA, ASSAM, SC. REVENUE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

04.11.2026

Heard Mrs. S. Roy, learned counsel for the petitioner and Mr. R. Borpujari, learned standing counsel, Revenue Department.

2. The petitioner claims to be in possession of land covered by old Dag No. 2(Part) and Dag No. 21(Part) of Alomganj Part-VIII under Gouripur Revenue Circle, Dhubri. The new Dag number allotted is Dag No. 12.

3. Upon receipt of the notice issued by the District Commissioner, Dhubri the petitioner submitted the relevant documents and also submitted a reply. However, the prayer of the petitioner was rejected by the speaking order which is enclosed as Anexure-IV to the writ petition. The speaking order was issued by the District Commissioner, Dhubri.

4. The learned counsel for the petitioner submits that in the speaking order there is no specific mention of the Dag numbers and it is not clear whether the speaking order is in respect of the particular dag numbers relating to the writ petitioner although the speaking order rejects the prayer of the petitioner.

5. The counsel for the respondent on the other hand submits that the land in question is specifically mentioned at the bottom of the impugned order it clearly reflects the land concern is relatable to Dag No. 12 of village Alomganj, Part-VII.

6. Be that as it may, the speaking order passed by the District Commissioner, Dhubri is an appealable order before the Board of Revenue established by the Government of Assam.

7. On a pointed query, the counsel for the petitioner submitted that because of the eviction process sought to be undertaken against the petitioner by the

respondent Department, the present writ petition has been filed praying for some interim protection till the petitioner approaches the Revenue Board.

8. Since the petitioner desires to approach the Revenue Board against the impugned order issued by the District Commissioner, Dhubri, this Court is of the view that the writ petition can be closed giving liberty to the petitioner to approach the Revenue Board within a period of 10 days from today and the Revenue Department will not carry out the eviction process till such time.

9. The petitioner shall file necessary appeal as permitted under law before the Revenue Board and thereafter it will be open for the petitioner to pray for necessary orders from the learned Revenue Board.

10. Accordingly, the respondent department will not proceed to evict the petitioner till 17th of November, 2026.

11. The writ petition accordingly stands disposed of in terms of the above.

JUDGE

Comparing Assistant