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

Case No. : WP(C)/6153/2026

BABUL ALI AND 79 ORS
S/O AKASH ALI ALIAS AKKASH ALI,

2: HABIBUR RAHMAN
S/O ABDUL BAREK

3: GAFUR ALI
S/O AMAN ALI

4: ASHRAF ALI
S/O MAHAMMAD ALI

5: ABDUL WAHED ALIAS ABDUL WAHED ALI
S/O HAMED ALI

6: JUHUR ALI
S/O ISMAIL ALI

7: MOTIBUR RAHMAN ALIAS MOJIBUR RAHMAN
S/O CHAMSUDDIN

8: ABDUL KHALEK
S/O HAMED ALI

9: REKIBUR ALI ALIAS REKIB ALI
S/O AKASH ALI ALIAS ABBASH ALI

10: HAMED ALI
S/O MAHAMMAD ALI

11: JALAL UDDIN
C/O AMIR ISLAM ALIAS AMIR UDDIN

12: ABDUL KALAM

C/O ABDUL HAMID

13: FOKAR UDDIN AHMED ALIAS FAKAR UDDIN AHMED
S/O ALLAL UDDIN ALIAS ALALUDDIN

14: MAJIBUR RAHMAN
S/O ISMAIL ALI

15: ABDUL MAJIT ALIAS ABDUL MAJID
C/O CHAMSUDDIN

16: MAFIJ UDDIN
S/O CHAMCHUDDIN AHMED ALIAS CHAMSUDDIN

17: MAJIT ALI ALIAS MAJID ALI
S/O ABDUL LATIF

18: CHOIDUR RAHMAN
S/O MANNASH ALIAS MANNASH ALI

19: SAIFUL ISLAM
S/O MALEK ALIAS ABDUL MALEK

20: RAFIKUL ISLAM
S/O ABDUL MALEK

21: FARIDUL ISLAM
S/O ALALUDDIN

22: ABDUL RAHIM
S/O JALAL UDDIN ALIAS JALAL

23: AJADUL ISLAM ALIAS ASADUL ISLAM
S/O APATAR ALI

24: ABDUL KHALIL ALIAS ABDUL KHALILUR
S/O PASAN ALI

25: HABIBUR RAHMAN
S/O ISMAIL ALI ALIAS ISNAIL ALI

26: IKRAMUL HAQUE ALIAS IKRAMUL ALI
S/O ALI HUSSAIN

27: ABDUL BAREK
S/O HAMED ALI

28: FAZLUL KARIM

S/O AMINUR RAHMAN

29: NURUL AMIN
S/O MAKABUL HUSSAIN ALIAS MOKBUL HUSSAIN

30: MEHBUB HUSSAIN ALIAS MEHBUR HUSSAIN
S/O MOKBUL HUSSAIN

31: CHAIFUL ALI
S/O CHORAB ALI

32: NUR ISLAM
S/O SURHAB ALI ALIAS CHURAB ALI

33: ABDUL RAHIM
S/O MATALEB ALI

34: MOHIDUL ISLAM ALIAS MOHIDUL ALI
S/O CHURHAB ALI.

35: ARCHAB ALI
S/O JAYAMAT ALI

36: CHURAHAB ALI ALIAS CHURAB ALI
S/O JAYAMAT ALI

37: NAJIBUR RAHMAN
S/O HAMEDA KHATUN

38: ABDUL BAREK
S/O ABDUL HUSHIN

39: SORHAB UDDIN
S/O MAINUDDIN

40: M1OHIDUL ISLAM ALIAS MOIDUL ISLAM
S/O NEWAJ ALI

41: ATIKUR RAHMAN
S/O MOHAMMAD AMINUR RAHMAN

42: HIFZUR RAHMAN ALIAS HEFZUR RAHMAN
S/O AMINUR RAHMAN

43: ATABUR RAHMAN
S/O AMINUR RAHMAN

44: SAMSUL ALI

S/O CHORAB ALI

45: NURUL ISLAM
S/O HAJI MUKABUL HUSSAIN ALIAS MOKBUL HUSSAIN

46: ABDUL RAHMAN
S/O HAJI MAKABUL RAHMAN ALIAS MOKBUL

47: NUR MAHAMMAD HUSSAIN ALIAS NUR MAHAMMAD
S/O HAJIMAKABUL HUSSAIN ALIAS MOKBUL HUSSAIN.

48: SIRAJ HUSSAIN
S/O NUR MOHAMMAD ALIAS NUR MOHAMMAD HUSSAIN

49: M1AKHAMEDUL HUSSAIN ALIAS MUKHMEDUL HUSSAIN
S/O ASHRAF ALI ALIAS ASHRAF

50: FAZLUR RAHMAN
S/O LT. AMINUR RAHMAN

51: INUJ ALI ALIAS INUS ALI
S/O HUSSAIN ALI

52: ABUL HUSSAIN
C/O MAGBUL HUSSAIN ALIAS MAKABUL HUUSAIN

53: ABDUL KALAM
S/O HAJIMAKABUL

54: RAHUL AMIN
S/O MUKBUL HUSSAIN ALIAS MOKBUL HUSSAIN

55: KHALILUR RAHMAN
S/O JAFAR ALI

56: FAIJUDDIN
S/O MR. JALAL UDDIN ALIAS JALALUDDIN

57: RAMJAN ALI
S/O ABDUL AJIJ

58: AHAMAD ALI ALIAS AHAMAT ALI
S/O JAHED ALI

59: SIRAJ ALI
C/O MABUL HUSSAIN ALIAS MABUL ALI

60: SARIFULLA FARUK

S/O ABDUL REJJAK ALIAS ABDUL RAZZAK

61: UBAIDULLAH FARUQUE
S/O ABDUL RAZZAK ALIAS ABDUL RAJJAK

62: ABDUL KACHEM
S/O MANACH ALI

63: ATIQUL ISLAM
S/O ABDUL KADIR

64: RASID ALI
S/O JOHUR ALI

65: RAFIK ALI
S/O MOGBUL HUSSAIN ALIAS MOKBUL HUSSAIN

66: NAZIR HUSSAIN
S/O MAGBUL HUSSAIN ALIAS MAKABUL HUSSAIN

67: ABDUL ROFIK
S/O ABDUL KACHEM

68: AKASH ALI
C/O RAMJAN ALI

69: IDRICH ALI ALIAS IDDIS ALI
S/O HUSSAIN ALI

70: NAYEB ALI
S/O MD. ALATAB ALI

71: HAFIJUR RAHMAN
S/O MUSARAF HUSSAIN

72: ABDULLAH FARUK
S/O ABDUL RAZAQUE

73: HABIBULLAH ISLAM
S/O ABDUL KADIR

74: ABDUL SATTAR
S/O HARAT ALI ALIAS HAJRAT ALI

75: ABDUL SUBHAN
C/O IDRISH ALI ALIAS IDDIS ALI

76: NUR AMIN ALIAS NUR AMIN ALI

S/O RAJAB ALI

77: SADDAM ALI
S/O MORTOJ ALI

78: IDUL HUSSAIN
S/O ABUL HUSSAIN

79: SAHJAHAN ALI
C/O MORTOJ ALI ALIAS MURTUJ ALI

80: AMENA BEGUM
C/O KITAP
ALL THE ABOVE-NAMED PETITIONERS ARE RESIDENTS OF 9/6 KOILAMARI
P.O. AND P.S.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR ASSAM
PIN NO-787051 AND 787031

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM, JANATA BHAWAN, DISPUR, GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
GOVERNMENT OF ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI- 781006

3:THE DISTRICT COMMISSIONER
LAKHIMPUR
NORTH LAKHIMPUR
PO AND PS- NORTH LAKHIMPUR
DIST- LAKHIMPUR
PIN-787001
ASSAM.

4:THE CIRCLE OFFICER
NORTH LAKHIMPUR REVENUE CIRCLE
LAKHIMPUR
ASSAM-787001

Advocate for the Petitioner : MR. Z KHALID, MR D BORPUJARI,MR. M H ALI,MR. M R HAZARIKA,MS. A BEGUM

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

13.11.2026

Heard Mr. Z. Khalid learned counsel for the petitioners. Also heard Mr. H. Sharma, learned Additional Senior Government Advocate for the Respondents, Ms. G. Hazarika, learned Standing Counsel for the Revenue.

2. The petitioners are aggrieved by the orders issued by the Circle Officer, North Lakhimpur Revenue Circle on 30.10.2026 in respect of the representations filed by the petitioners. These orders were passed in deference to the Judgment dated 18.09.2026, 23.09.2026 and 15.10.2016 passed in W.P(C) No. 5138/2026, W.P(C) No. 5174/2026 and W.P(C) No. 5803/2026 respectively by the Hon'ble Gauhati High Court. By the impugned orders, the representations have been rejected and the claims of the petitioners have not been sustained. The circle officer held that the petitioners are found to be in occupying government khas land without any lawful authority and therefore they are directed to be evicted from the government khas land within 15 days in respect of the area being 9/6 Koilamari, District Lakhimpur. Being aggrieved, the present writ petition has been filed.

3. Ms. G. Hazarika, learned Standing Counsel, Revenue submits that there is an efficacious alternative remedy prescribed under the Revenue Regulations 1986, and the petitioners are entitled to file their appeals before the respective

District Commissioner, North Lakhimpur.

4. The submission of the learned counsel is noted, and it is seen from the Revenue Regulations that there is indeed a provision for an appeal before the District Commissioner against the orders passed by the concerned Circle officer.

5. The learned counsel for the petitioners, Mr. Z. Khalid submits that in that event the petitioners be permitted to file their appeals before the District Commissioner, North Lakhimpur. However, till the time these appeals are decided by the authorities concerned, the eviction process be stayed.

6. Considering the submissions made and the Court is of the considered view that in the face of the provisions available, the Revenue Regulations for filing an appeal, petitioners are permitted to file their respective appeals before the District Commissioner, North Lakhimpur within a period of 2 weeks from today.

7. The District Commissioner will consider the matter and pass appropriate orders upon hearing the petitioners.

8. The writ petition therefore stands closed, permitting the petitioners to file necessary appeal before the district commissioner, North Lakhimpur within 2 weeks from today. Once the appeals are filed, it will be available for the District Commissioner to consider the prayers made of the petitioners for passing any interim orders or stay with regard to the eviction process undertaken.

9. Accordingly, the writ petition stands disposed of.

10. Till 30.11.2026, the eviction process shall remain stayed.

11. Needless to say, upon the appeals being filed, the District Commissioner will consider the prayer for stay as may be projected by the petitioners.

JUDGE

Comparing Assistant