

WP(C) 5823/2009

BEFORE HON'BLE MR JUSTICE H N SARMA

Heard Mr MU Mondal, learned counsel for the petitioner and Mr R Sarma, learned S C for Health Department.

The grievance of the petitioners is that they are residing in the departmental quarters allotted by the CM&HO, Nagaon since February 2001. The Deputy Commissioner, Nagaon, has issued a notice to the petitioners under Rule 18(2) of the Assam Land Revenue Regulations asking them to vacate the government land occupied by them.

It is contended by the learned counsel for the petitioner that in the name of vacating the government land, the petitioners are threatened to evict from the government quarters, itself. The provisions of Rule 18 do not permit the Deputy Commissioner to evict a person from the government quarter and the said rule is applicable in case of government land occupied by unauthorized person.

In that view of the matter, the petitioners shall not be evicted from the government quarter. It is needless to say if the petitioners are in occupation of any government land they would be evicted as per provisions of Rule 18 in due process of law.

The writ petition stands disposed of.