

GAHC010204212022



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

Case No. : WP(C)/6575/2022

SAHID ISLAM @ SAHIDUL ISLAM AND ANR
S/O LATE CHHAYED ALI, R/O PATHARQUARY, P.S.-NOONMATI, GUWAHATI-
781026, KAMRUP (M), ASSAM

2: SAJI BEGUM
W/O SAHID ISLAM @ SAHIDUL ISLAM
R/O PATHARQUARY
P.S.-NOONMATI
GUWAHATI-781026
KAMRUP (M)
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS
THROUGH THE COMMISSIONER AND SECRETARY, GUWAHATI
DEVELOPMENT DEPARTMENT, GOVERNMENT OF ASSAM, ASSAM
SECRETARIAT, DISPUR-781006, DIST-KAMRUP (M), ASSAM

2: THE PRINCIPAL SECRETARY
REVENUE (SETTLEMENT) DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR-781006
DIST-KAMRUP (M)
ASSAM

3: GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
THROUGH THE CHIEF EXECUTIVE OFFICER
GMC HOSPITAL ROAD
BHANGAGARH
GUWAHATI-781005
DIST-KAMRUP (M)
ASSAM

4:THE DEPUTY COMMISSIONER
KAMRUP (METRO)
HENGRABARI
GUWAHATI-781036
DIST-KAMRUP (M)
ASSAM

5:THE CIRCLE OFFICER
DISPUR REVENUE CIRCLE
KUNDIL NAGAR
P.S.-BASISTHA CHARIALI
GUWAHATI-781029
DIST-KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. S SAHU

Advocate for the Respondent : SC, GDD

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 30-09-2022

Heard Mr. S. Sahu, learned counsel for the writ petitioner.

The writ petitioner claims to have purchase a plot of land measuring 1K-15L covered by Dag No. 1110 (New)/ 402 (Old) situated at Hengrabari, Patharquary under Beltola mouza. According to the writ petitioner, he had purchased the possessory right of the land on 09-05-2008. Apprehending eviction from the said plot of land, the instant writ petition has been filed.

Mr. S. Bora, learned standing counsel, GMDA and Mr. D.K. Sarma, learned Addl. Sr. Govt. Advocate, Assam submits that the writ petition has been filed merely on

apprehension and hence, the same is not maintainable in law.

Be that as it may, considering the facts and circumstances of the case as well as the materials available on record, without commenting on the claim of right over the land made by the petitioner, this writ petition is being disposed of at the motion stage by providing that the respondents shall not evict the petitioner from the land, without following the due process of law.

The writ petition stands closed.

JUDGE

GS

Comparing Assistant