

GAHC010194402021



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

Case No. : PIL(Suo Moto)/6/2021

XXX
GUWAHATI . ASSAM

VERSUS

IN RE- THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY
JANATA BHAWAN
DISPUR GUWAHATI 781006

2:THE PRINCIPAL SECRETARY
TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANEGEMENT DEPARTMENT
JANATA BHAWAN
DISPUR
GUWAHATI 781006

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI 781007

4:THE DEPUTY COMMISSIONER
DARRANG
MANGALDAI
784125

5:THE SUPERINTENDENT OF POLICE
DARRANG
MANGALDAI
784125

6:THE CIRCLE OFFICER
CIRCLE OFFICE
SIPAJHAR
MARAI
784145

Advocate for : SC
GHC
Advocate for : GA
ASSAM appearing for IN RE- THE STATE OF ASSAM AND 5 ORS

Linked Case : PIL/65/2021

DEBABRATA SAIKIA
S/O. LT. HITESWAR SAIKIA
MLA HOSTEL QUARTER NO.6
DISPUR
GUWAHATI
ASSAM-781006.

VERSUS

THE STATE OF ASSAM AND 7 ORS.
REP. BY ITS COMMISSIONER AND SECY.
GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GUWAHATI
ASSAM-781006.

2:THE STATE OF ASSAM
REP. BY ITS COMM. AND SECRETARY
GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
DISPUR
GUWAHATI
ASSAM-781006.

3:THE DEPUTY COMMISSIONER
DARRANG
MANGALDOI
ASSAM-784125.

4:THE SUPDT. OF POLICE

DARRANG
MANGALDOI
ASSAM-784125.

5:THE ADDL. DEPUTY COMMISSIONER (REVENUE)
DARRANG
MANGALDOI
ASSAM-784125.

6:THE CRIMINAL INVESTIGATION DEPTT. (CID)
ASSAM
83A
BARTHAKUR MILL RD.
SOUTH SARANIA
ULUBARI
GUWAHATI
ASSAM-781007.

7:FLOOD AND RIVER EROSION MANAGEMENT AGENCY OF ASSAM
4TH FLOOR
NAYANTARA BUILDING
ANANDA NAGAR
SIX MILE
GUWAHATI
ASSAM-781022.

8:THE CIRCLE OFFICER
SIPAJHAR REVENUE CIRCLE
SIPAJHAR
DIST. DARRANG
ASSAM
PIN-784145.

Advocate for : MR Z HUSSAIN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 7 ORS.

Linked Case : PIL/69/2021

NIRUPAMA BORGOHAIN AND 11 ORS
W/O LATE HOMEN BORGOHAIN
HOUSE NO. 33
KHARGULI
GUWAHATI-7813004

2: DR. HIREN GOHAIN

S/O LATE MAHENDRA NATH GOHAIN
R/O NIZARAPAR
CHANDMARI
GHY-3
DIST-KAMRUP(M)
ASSAM

3: DR. CHANDRA MOHAN SARMA
S/O LATE RAJAT CHANDRA SARMA
R/O R.D. NILOY
TETELIA
NEAR EXCEL CARE HOSPITAL
HOUSE NO. 37
GUWAHATI-33
KAMRUP(M)

4: APURBA KUMAR BARUAH
S/O LATE RABINDRA NATH BARUAH
R/O B-168
LARICA GREEN HAMLET
BONGRA
GUWAHATI-15
KAMRUP (M)
ASSAM

5: MANORAM SHARMA
D/O LATE KESHAB BATH SHARMA
R/O B/168
LARICA GREEN HAMLET
BONGRA
GUWAHATI-15
KAMRUP(M)
ASSAM

6: DR. DINESH BAISHYA
S/O LATE BALIRAM BAISHYA
HOUSE NO. 7
BYELANE-1
ANANDA NAGAR
SIXTH MILE
GUWAHATI-22

7: RAMESH CHANDRA KALITA
S/O LATE B.R KALITA
HOUSE NO 33
CHANDRA NAGAR
SIXTH MILE
VIP ROAD

TRIBENI PATH
2ND BYELANE
GUWAHATI-22
KAMRUP(M)
ASSAM

8: PARAMANANDA MAZUMDAR
S/O LATE MAHIRAM MAZUMDAR
HOUSE NO. 55
SOUTH SARANIA
GHY-7

9: ANANTA CHANDRA KALITA
S/O LATE MOHAN CHANDRA KALITA
R/O SBI COLONY
SARUMOTORIA
GHY-6
KAMRUP(M)
ASSAM

10: DR. SUJIT CHAKARABARTY
S/O LATE SURESH CHANDRA CHAKRABARTY
R/O FLAT NO. 02
FIRST FLOOR
GUKUL VILLA
A.T. ROAD
ADABARI
GUWAHATI-781012

11: MASSADDAR HUSSAIN
S/O LATE MAZAFFAR HUSSAIN
R/O FAIYAZ AHMED ROAD MACH KHOUA
GHY-09

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE CHIEF SECRETARY
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-781006

2: THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
REVENUE DEPARTMENT
DISPUR
GUWAHATI-781006

3:THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI
ASSAM-781006

4:THE DEPUTY COMMISSIONER
DARRANG
MANGALDAI
ASSAM-784125

5:THE SUPERINTENDENT OF POLICE
DARRANG
MANGALDAI
ASSAM-784125

6:THE ADDITIONAL DEPUTY COMMISSIONER (REVENUE)
DARRANG
MANGALDAI
ASSAM-784125

7:THE CIRCLE OFFICER
SIPAJHAR REVENUE CIRCLE
SIPAJHAR
DIST-DARRANG
ASSAM
PIN-784145

8:THE CRIMINAL INVESTIGATION DEPARTMENT (CID)
ASSAM
83A
BARTHAKUR MILL RD
SOUTH SARANIA
ULUBARI
GUWAHATI
ASSAM-781007

9:FLOOD AND RIVER EROSION MANAGEMENT AGENCY OF ASSAM
4TH FLOOR
NAYANTARA BUILDING
ANANDA NAGAR
SIX MILE
GUWAHATI
ASSAM-781022

10:SUSHANTA BISWA SARMA

SUPERINTENDENT OF POLICE
DARRANG
MANGALDAI
PIN-784125

11:PANKAJ KUMAR DEKA
ADDITIONAL DEPUTY COMMISSIONER (REVENUE) DARRANG
MANGALDAI
PIN-784125

Advocate for : MR. B C DAS
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 10 ORS

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 10.01.2022

The matter is taken up through video conferencing.

Mr. D. Saikia, learned Advocate General, Assam, has made a statement that the State respondents have filed affidavits in PIL (Suo Moto) 6/2021 and PIL 65/2021. However, he seeks some time to file affidavit in PIL 69/2021.

Time is granted.

Let the counter-affidavit be filed in PIL 69/2021 within three weeks.

List again on **17.02.2022**.

JUDGE

CHIEF JUSTICE

Comparing Assistant