MC 1447/2013 BEFORE HON'BLE MR. JUSTICE B.K SHARMA

Heard learned counsel for the parties.

Although, in the order dtd. 04.05.2013, the Government of Assam in the Revenue a nd Disaster Management Department, L.R Branch has stated about the purported law and order situation problem in handing over the acquired land to the Assam Rifl es. But as per the report of the S.P dtd. 10.09.2012 submitted to the Deputy Com missioner, Jorhat, there is slim chance of law and order problem in the land tra nsfer. It is submitted that the said report was not taken into consideration tow ards passing the order dtd. 04.05.2013. By Annexure-11 letter dtd. 04.01.2013, t he Assam Rifles authority requested the Principle Secretary to the Government of Assam in the Revenue and Disaster Management Department to hand over the land t o the Assam Rifles or alternatively to identify another piece of land to the Ass am Rifles. The said letter refers to the aforesaid report of the S.P dtd. 10.09. 2012. Admittedly the land was acquired for the Assam Rifles and it was only at t he stage of handing over, the question of law and order was raised. In view of the report dtd. 10.09.2012. The learned counsel for the petitioner submits that there is no impediment towards materialization of acquisition proceeding, and h anding over the land to the Assam Rifles.

In view of the above, this application is disposed of directing the Deputy Commissioner, Jorhat to re-visit the matter taking into account of the aforesaid report of the S.P dtd. 10.09.2012 and pass appropriate order. As regards the law and order problem depicting in the order dtd. 04.05.2013 the Deputy Commissioner may have consultation with the S.P to resolve the issue relating to alleged law and order problem. Let the required exercise in terms of this order be carried out as expeditiously as possible, preferably within two months. The Deputy Commissioner, Jorhat shall communicate with the Government of Assam in the Revenue and Disaster Management Department for their necessary action.

Let copies of this order be furnished to Mrs. B Dutta, lear ned State Counsel and Mrs. V.L Singh, learned Standing Counsel, Revenue Department.