

GAHC010004212023



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

Case No. : WP(C)/250/2023

MUSTT AYSHA KHATUN AND 76 ORS
D/O-LATE ASIRUDDIN.
VILL.-DEODHUTURI,
P.O.-KHARMUZA, P.S.-BAGUAN,
DIST.-GOALPARA, ASSAM

2: ABDUL HAI
S/O-LATE AKABAR ALI.
VILL. AND P.O.-KHARMUZA

P.S.-GOALPARA

DIST.-GOALPARA
ASSAM

3: MAYZUDDIN
S/O-LATE AZIMUDDIN.
VILL AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

4: HABIBAR RAHMAN
S/O-LATE AZIMUDDIN.
VILL AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

5: DELBAR HUSSAIN
S/O-LATE BAGU SHEIKH.
VILL-TAPARBHITA
P.O.-BALARBHITA

P.S.-BAGUAN
DIST.-GOALPARA
ASSAM

6: GUL NEHAR BEGUM
D/O-LATE HASHEM ALI BHUYAN.
VILL.-ROWMARI
P.O.-JOYPUR BAZAR

P.S.-BAGUAN
DIST.-GOALPARA
ASSAM

7: JAKIR HUSSAIN
S/O-KURBAN ALI.
VILL.-RAMHARIR CHAR
PART-1

P.O.-KHARMUZA
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

8: MOIJUDDIN
S/O-LATE SABED ALI.
VILL.-SADER ALGA
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

9: ASHMOT ALI
S/O-LATE ABDUS SAMAD @ SAMAD ALI.
VILL.-SADER ALGA
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

10: HASEN ALI
S/O-CHANDULLAH SHEIKH.
VILL.-KHAN KHOWA PART-II

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

11: MEHERUN NESSA
W/O-ISMAIL HUSSAIN.
VILL. AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

12: ABDUL KHALEK
S/O-LATE KURAN ALI SHEIKH.
VILL.-DEODHUTURI

P.O.-KHARMUZA
P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

13: JAMAL SHEIKH
S/O-LATE AKBOR ALI.
VILL.-PURNANAGAR

P.O.-KHARMUZA
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

14: ABDUL AWAL
S/O-LATE SAMSHER ALI.
VILL.-DEODHUTURI

P.O.-KHARMUZA
P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

15: SEBAD ALI
S/O-LATE BOKSO SHEIKH.
VILL.-KATLAMARI
P.O.-KHARMUZA

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

16: IBRAHIM ALI
S/O-SHAHEB ALI SHEIKH.
VILL.-RAMHARIR CHAR PART-II

P.O.-JOYPUR BAZAR

P.S. AND DIST.-GOALPARA
ASSAM

17: ROHOM ALI
S/O-HABIBAR RAHMAN.
VILL.-RAMHARIR CHAR PART-II

P.O.-JOYPUR BAZAR

P.S. AND DIST.-GOALPARA
ASSAM

18: RABIAL HUSSAIN
S/O-LATE ABUL HUSSAIN.
VILL.-RAMHARIR CHAR PART-II

P.O.-JOYPUR BAZAR

P.S. AND DIST.-GOALPARA
ASSAM

19: ANOWAR AKAND
S/O-SURUT JAMAL AKAND.
VILL.-BHOISHMARI

P.O.-JOYBUNG
P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

20: SALEHA KHATUN
D/O-SULTAN SHEIKH.
VILL.-AMBARI

P.O. AND P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

21: ACHAHQUE ALI
S/O-LATE KORBAN ALI.

VILL. AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

22: MD. SURMAN ALI
S/O-LATE KADAM ALI SHEIKH.
VILL.-HELAPAKHRI

P.O.-BALADMARI CHAR
P.S.-MORNAI

DIST.-GOALPARA
ASSAM

23: ROFIQUL ISLAM
S/O-LATE HASHEM ALI.
VILL. AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

24: ABDUL BASHED
S/O-LATE ABDUL MOZID MOLLAH.
VILL.-RAMHARIR CHAR PART-II

P.O.-JOYPUR
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

25: JEL HOQUE
S/O-LATE IMAN ALI.
VILL.-PANCHARATNA
P.O.-DARIDURI

P.S. AND DIST.-GOALPARA
ASSAM

26: SOLIM UDDIN
S/O-LATE HASEN ALI.
VILL.-GENDAURI
P.O.-BALARBHITA

P.S.-CHUNARI
DIST.-GOALPARA
ASSAM

27: SIDDIQUE ALI
S/O-LATE SUJAB ALI.
VILL.-DEODHUTURI

P.O.-KHARMUZA
P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

28: RASHIDUL ISLAM
S/O-MOHIMUDDIN.
VILL.-RAMHARIR CHAR PART-II

P.O.-JOYPUR BAZAR

P.S. AND DIST.-GOALPARA
ASSAM

29: REJABUL HOQUE
S/O-LATE ABDUS SATTAR.
VILL.-RAMHARIR CHAR PART-III

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

30: MUSABUDDIN
S/O-ROMJAN ALI.
VILL.-RAMHARIR CHAR PART-III

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

31: HOBIBOR RAHMAN
S/O-LATE KARIM BOKSA.
VILL.-RAMHARIR CHAR PART-III

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

32: NUR ISLAM

S/O-MOYAN ALI.
VILL. AND P.O.-KHARMUZA

P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

33: SANJAB ALI
S/O-LATE AFAZ ALI.
VILL.-HARIPUR KARAIKHUWA

P.O.-KHARMUZA
P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

34: BADSHA SHEIKH
S/O-LATE JURAN ALI.
VILL.-RAMHARIR CHAR PART-II

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

35: IYACHIN ALI
S/O-BAHAR ALI.
VILL.-RAMHARIR CHAR PART-II

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

36: ROJOB ALI
S/O-LATE KOROB ALI.
VILL AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

37: NAZMUL HOQUE
S/O-LATE ROSTAM ALI.
VILL.-RAMHARIR CHAR PART-II

P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

38: JELAL HUSSAIN
S/O-MAGRAB ALI @ KHOSH MAHMUD.
VILL.-RAMHARIR CHAR PART-III

P.O.-JOYPUR
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

39: HANIF ALI
S/O-RAMJAN ALI.
VILL.-RAMHARIR CHAR PART-III

P.O.-JOYPUR
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

40: SAMIRAN NESSA
D/O-LATE SAFIZUDDIN.
VILL.-RAMHARIR CHAR PART-III

P.O.-JOYPUR
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

41: GOLAM HUSSAIN
S/O-LATE ABDUL GOFUR.
VILL.-RAMHARIR CHAR
PART-II

P.O.-JOYPUR
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

42: SOMIRAN NESSA
W/O-ABUL HUSSAIN

D/O-LATE MUGAL SHEIKH.
VILL.-CHUNARI
P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

43: MARJINA BEGUM
D/O-LATE MAKBUL MANDAL.
VILL.-KALADANGA
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

44: NARJIA KHATUN
W/O-LATE ABDUL BATEN.
VILL. AND P.O.-KHARMUZA

P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

45: BAHAR ALI
S/O-LATE MASUR UDDIN @ MUNSER ALI.
VILL.-HAJUA CHAR
PART-III

P.O.-BALARVITHA
P.S.-CHUNARI RPS

DIST.-GOALPARA
ASSAM

46: ABDUL KUDDUS
S/O-MUNSER ALI.
VILL.-RAMHARIR CHAR
PART-I

P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

47: MOFIDUL ISLAM
S/O-LATE HAYAT ALI.
VILL.-SONAHARA

P.O.-KHARMUZA

P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

48: SHAHADAT ALI
S/O-LATE HAYAT ALI.
VILL.-SONAHARA
P.O.-KHARMUZA

P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

49: NUR ISLAM
S/O-LATE AZIBOR RAHMAN.
VILL.-SONAHARA
P.S.-BAGUAN

P.S. AND DIST.-GOALPARA
ASSAM

50: JAHAR ALI
S/O-LATE KADAM ALI.
VILL.-SONAHARA
P.S.-BAGUAN

P.S. AND DIST.-GOALPARA
ASSAM

51: AKBOR ALI
S/O-LATE HAYET ALI.
VILL.-SONAHARA
P.S.-BAGUAN

P.S. AND DIST.-GOALPARA
ASSAM

52: SHAHIDUL ISLAM
S/O-LATE HAYET ALI.
VILL.-SONAHARA
P.S.-BAGUAN

P.S. AND DIST.-GOALPARA
ASSAM

53: NUR HUSSAIN
S/O-SAYED ALI.
VILL.-SONAHARA
P.S.-BAGUAN

P.S. AND DIST.-GOALPARA
ASSAM

54: FOZOL HOQUE
S/O-LATE ABDUS SALAM.
VILL.-RAMHARIR CHAR
PART-I

P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

55: HALIMA KHATUN
D/O-JARINA KHATUN.
VILL. AND P.O.-KHARMUZA

P.S.-BAGUAN
DIST.-GOALPARA
ASSAM

56: RUHUL AMIN
S/O-YAKUB ALI.
VILL.-RAMHARIR CHAR
PART-III

P.O.-JOYPUR BAZAR

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

57: DILBOR ALI
S/O-LATE ABED ALI.
VILL.-NO.3 BALADMARI CHAR

P.O.-BALADMARI
P.S.-MORNAI

DIST.-GOALPARA
ASSAM

58: TALEB ALI
S/O-MONSER ALI.
VILL.-RAMHARIR CHAR
PART-III

P.O.-JOYPUR BAZAR

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

59: BABUL MIAH
S/O-ABDUL MOZID.
VILL.-RAMHARIR CHAR
PART-III

P.O.-JOYPUR BAZAR

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

60: SABED ALI

S/O-SAYED ALI.
VILL.-RAMHARIR CHAR
PART-II

P.O.-JOYPUR BAZAR

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

61: ABUL HAYAT
S/O-LATE JOBAN ALI.
VILL. AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

62: JAMAT ALI
S/O-LATE JOBAN ALI.
VILL. AND P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

63: SOMER ALI
S/O-SADER ALI.
VILL.-NALONGA
P.O.-JAIPUR

P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

64: HUSSAIN ALI
S/O-LATE TAHER ALI.
VILL.-KALADANGA
P.O.-BALARVITA

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

65: FAZOR ALI
S/O-LATE MUJAFFOR SHEIKH.
VILL.-HAJUA CHAR
PART-II

P.O.-BALARVITHA
P.S.-CHUNARI RPS

DIST.-GOALPARA
ASSAM

66: SANOWAR HUSSAIN
S/O-KORBAN ALI.
VILL.-SHONAHARA
P.O.-KHARMUZA

P.S. AND DIST.-GOALPARA
ASSAM

67: SAMSUL AKAND
S/O-LATE GONI AKAND.
VILL.-BOISHMARI

P.O.-JOIBHUM TILA

P.S.-BAGUAN

DIST.-GOALPARA
ASSAM

68: ANOWARA KHATUN
D/O-AJIRON NESSA.
VILL.-DEODHUTURI
P.O.-KHARMUZA

P.S.-BAGUAN
DIST.-GOALPARA
ASSAM

69: HABIBOR RAHMAN
S/O-LATE INSAB ALI.
VILL.-KHOTOWARTARI (BALARBHITA)
P.S.-BAGUAN
DIST.-GOALPARA
ASSAM

70: MOKSED ALI
S/O-LATE SULTAN ALI.
VILL.-NALONGA
P.O.-JOYPUR

P.S.-BAGUAN
DIST.-GOALPARA
ASSAM

71: JAHERA KHATUN
D/O-AHER ALI.
VILL.-BISHING HELENGAR CHAR
PART-II

P.O.-JOYPUR
P.S.-PANCHARATNA

DIST.-GOALPARA
ASSAM

72: RABIYA KHATUN
W/O-RUSTAM ALI SK.
VILL.-HAJUA CHAR
PART-II

P.O.-BALARVITHA
P.S.-CHUNARI RPS

DIST.-GOALPARA
ASSAM

73: MOHAR ALI
VILL.-HAJUA CHAR
PART-III

P.O.-BALARVITHA
P.S.-CHUNARI RPS

DIST.-GOALPARA
ASSAM

74: MOKSED ALI
S/O-LATE MUSA SHEIKH.
VILL.-RAMHARIR CHAR
PART-I

P.O.-KHARMUZA

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

75: HASEN ALI
S/O-LATE SAFIZ UDDIN.
VILL.-RAMHARIR CHAR
PART-I

P.O.-KHARMUZA

P.S.-PANCHARATNA RPS

DIST.-GOALPARA
ASSAM

76: SURJYA HANU NESSA
S/O-LATE ASERUDDIN.
VILL. AND P.O.-KHARMUZA

DIST.-GOALPARA
ASSAM

77: AMJAD ALI
S/O-LATE HAYAT ALI.
VILL.-SONAHARA

P.O.-KHARMUZA

DIST.-GOALPARA
ASSA

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY,
REVENUE DEPARTMENT, DISPUR, GHY-06

2:THE DIRECTOR OF LAND RECORDS
ASSAM
RUPNAGAR GUWAHATI-32

3:THE DEPUTY COMMISSIONER
GOALPARA
DIST.-GOALPARA
ASSAM
PIN-783101

4:THE ADDITIONAL DEPUTY COMMISSIONER (REVENUE BRANCH)
GOALPARA
DIST.-GOALPARA
ASSAM
PIN-783101

5:THE ASSISTANT SETTLEMENT OFFICER
BALIJANA REVENUE CIRCLE
BALIJANA
DIST.-GOALPARA
ASSAM
PIN-783101

6:THE CIRCLE OFFICER
BALIJANA REVENUE CIRCLE
BALIJANA
DIST.-GOALPARA
ASSAM
PIN-78310

Advocate for the Petitioner : MR. M H RAJBARBHUIYAN

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 08-02-2024

Heard Mr. M.H. Rajbarbhuiya, learned counsel for the petitioners; Mr. B. Goswami, learned Additional Advocate General, Assam assisted by Ms. G. Hazarika, learned Standing Counsel, Revenue Department for the respondent nos. 1 & 2; and Ms. M. Barman, learned Junior Government Advocate, Assam for the respondent nos. 3 – 6.

2. The present writ petition is preferred by 77 [seventy-seven] nos. of writ petitioners stating that they have common cause of action. The petitioners have claimed that they are inhabitants of a number of villages viz. Kaladanga, Hojua Char Part-I, Hojua Char Part-II, Hojua Char Part-III, Deodhuturi, Ramhorirchar Part-I, Ramhorirchar Part-II, Ramhorirchar Part-III, which are within the territorial jurisdiction of Balijana Revenue Circle, District – Goalpara. According to them, they are in continuous occupation of different parcels of land within those villages by way of inheritance since the days of their grandfathers. The petitioners have further stated that due to non-completion of survey/settlement operation in the said villages, the parcels of land in respect of which they are claiming title/ownership, have been marked as 'Government land' in the revenue records whereas the petitioners have all the essential documents in support of their claims of title/ownership for those parcel of land.

2.1. The petitioners have referred to a proceedings of another writ petition, W.P.[C] no. 8033/2019, which was preferred by 68 nos. of persons as writ petitioners. Those 68 nos. of writ petitioners approached this Court by the said writ petition with a grievance that they were in occupation of the parcels of land, described therein, as legal heirs of pattadars which were issued on the basis of registered sale deeds and/or rayoti khatians retained from the days of the Goalpara kings. In the said writ petition, those writ petitioners raised an issue that the revenue officials responsible for carrying out survey operation in the concerned areas, had failed to discharge their duties and they escaped the responsibilities by putting remark,

'Government land' in respect of the entire area, thereby, raising a doubt over the land holdings of those petitioners.

2.2. The present petitioners have also raised a similar issue in the present writ petition. The present petitioners have claimed that they are entitled to get the parcels of land, under their occupation, purportedly since the time of their grandfathers, verified through a survey operation so as to remove any doubt as regards their title/ownership *qua* the parcels/settlement of land under their occupation. In this writ petition, the petitioners have *inter alia* sought for a direction to the respondent authorities to take appropriate steps for withdrawal and/or cancellation of the remark, 'Government land' recorded in respect of the parcels of land under the occupation of the present petitioners, situate within the villages viz. Kaladanga, Hojua Char Part-I, Hojua Char Part-II, Hojua Char Part-III, Deodhuturi, Ramhorirchar Part-I, Ramhorirchar Part-II, Ramhorirchar Part-III, within the territorial jurisdiction of Balijana Revenue Circle, District – Goalpara.

3. Mr. Goswami, learned Additional Advocate General, Assam appearing for the State respondents has referred to the affidavit-in-opposition filed on behalf of the State respondents in the writ petition, W.P.[C] no. 8033/2019 as well as the affidavit-in-opposition filed in the present writ petition, to submit that from the affidavit-in-opposition filed in the writ petition, W.P.[C] no. 8033/2019, it is discernible that at that relevant point of time, required Vandyke maps were not available and the survey operation could not be conducted due to such non-availability. Dissimilarities were noticed in the then available trace maps and positions in the field in respect of landholdings claimed by those petitioners. A stand was taken therein that mutation could be granted after receipt of applications with supporting necessary documents and conduct of hearings. Mr. Goswami by referring to the affidavit-in-opposition filed in the present writ petition, has submitted that survey/settlement operation in respect of all the villages including the villages mentioned by the present petitioners, had already been completed as per extant rules and within the time-frame. It has been averred that during the course of survey/settlement operation, notices were issued from time to time, by following the procedure laid down in the provisions of the Assam Land Records Manual and it was after issuance of such notices, settlement of lands were done in respect of such

villages. As during the then ongoing survey/settlement operation, the present petitioners could not produce the required documents in respect of the villages they have mentioned herein, the said areas have been recorded as *Government Khas* lands.

4. The submissions advanced by Mr. Goswami, learned Additional Advocate General have been controverted by Mr. Rajbarbhuiya, learned counsel for the petitioners on the premise that the petitioners have all the supporting documents in their possession to support the claims they have made. If opportunities are afforded to the petitioners, they are in position to establish such claims on the basis of valid documents like registered sale deeds, khatians, etc.

5. Responding to such submissions of Mr. Rajburbhuiya, Mr. Goswami has submitted that the present petitioners can be granted an opportunity to submit applications individually regarding their respective claim and in the event of submission of individual applications, each such individual application will be considered individually by examining the merits of the claim vis-à-vis the revenue records.

6. I have considered the submissions of the learned counsel for the parties and have also gone through the materials brought on record by the parties through their pleadings.

7. The present petitioners are claiming title/ownership of parcels of land located within a number of villages like Kaladanga, Hojua Char Part-1, Hojua Char Part-2, Hojua Char Part-3, Deodhuturi, Ramhorirchar Part-1, Ramhorirchar Part-2, Ramhorirchar Part-3, within the territorial jurisdiction of Balijana Revenue Circle, District – Goalpara. The writ petition, W.P.[C] no. 8033/2019, preferred by the 68 nos. of petitioners, was disposed of with a direction to the respondent authorities to expedite the process of operation of trace map/Vandyke map and to carry the survey and verification accordingly. Such a direction was made in view of the stand taken by the State respondents in the affidavit-in-opposition filed therein that survey/settlement operation could not be completed in respect of those villages due to non-availability of Vandyke map, etc. The stand taken by the State respondents in the present writ petition in their affidavit-in-opposition is different than the stand taken in the other writ petition, W.P.[C] no. 8033/2019. In the affidavit-in-opposition filed in the present writ petition,

the State respondents have categorically averred that the survey/settlement operation in respect of all villages including the villages mentioned by the petitioners, have already been completed as per the extant rules. The State respondents have contended that notices were issued during the course of the survey/settlement operation for the purpose of hearing the claims. In the summery of the survey/settlement operation, appended as Annexure-A to the said affidavit-in-opposition, it has been recorded that survey/settlement operation were duly carried out and completed in the villages - Kaldanga Char, Ramharirchar Part-3, Ramharirchar Part-2, Ramharirchar Part-1, Sonahara, Kharmuza, Haripur Karaikhowa, Hozuwar Chat Part-3, Hozuwar Chat Part-2, Hozuwar Chat Part-1, Dakshin Katlamari Part-1 and Bhasanipara Part-3. As during the public hearings in respect of areas covered by the survey/settlement operation, the parcels of land where no bona fide claim was made on the basis of valid supporting documents, were recorded as Government *khas* land in the revenue records. From the Notification bearing no. RSR.35/76/Pt.I/115 dated 1st June, 1979 of the Revenue [Settlement] Department, Government of Assam, it is noticed that the survey/settlement operation consisted of – [a] Survey, demarcation and classification of India; [b] Preparation of record-of-rights in all classes, estates including the record of rights of tenants; [c] Record attestation; [d] Submission of assessment reports; [e] Re-assessment; [f] Revenue Attestation; and [g] Offer of Settlement.

8. As the present petitioners have claimed that they are in continuous occupation of different parcels of land within the afore-mentioned villages since the days of their grandfathers and are in possession of valid supporting documents to support their claims for title/ownership, etc. in support of those parcels of land and the State respondents are in possession of the records after completion of the survey/settlement operation in respect of those villages, this Court is of the considered view that the present petitioners should be provided a further opportunity to stake their claims of title/ownership in respect of different parcels of land in respect of which they have stated that they are in occupation and have valid legal documents/materials. As this writ petition is preferred by 77 [seventy-seven] nos. of petitioners, this Court is of the considered view that the respondent authorities shall consider the cases of the petitioners if these 77 [seventy-seven] nos. of petitioners submit

individual applications along with the supporting materials within a period of 1 [one] month from today, in the office of the respondent no. 3 i.e. the District Commissioner, Goalpara to consider their cases for correction of revenue records. In the event such applications are received, the respondent no. 3 shall consider such applications by causing enquiries, wherever necessary, through the respondent no. 4, the respondent no. 5 and the respondent no. 6, under his direct supervision. The respondent authorities shall examine each of the individual applications on the basis of the records of survey/settlement operation and other necessary revenue records vis-à-vis the documents submitted by each of the petitioners with their individual application and thereafter, decide each of the individual applications by passing separate reasoned order. At this stage, Mr. Goswami, learned Additional Advocate General, Assam has submitted that a period of 4 [four] months will be a reasonable period for the respondent authorities to consider examine, consider and decide each of the applications from the date receipt of the individual applications. As the submission made by the learned Additional Advocate General as regards the time period is found acceptable, it is accordingly observed. It is made clear that this order is limited to 77 [seventy-seven] nos. of petitioners who have preferred this writ petition and who will submit the application individually in deference to this order.

9. A copy each of the Order dated 18.08.2022 passed in the writ petition, W.P.[C] no. 8033/2019 and the Notification dated 1st June, 1979 are kept with the case records.

JUDGE

Comparing Assistant