

GAHC010164912021



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

Case No. : 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 the Petitioner : MR Z HUSSAIN

Advocate for the Respondent : GA, ASSAM

Linked Case : 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

- B E F O R E -
HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA
HON'BLE MR. JUSTICE KAKHETO SEMA

ORDER

Date : 03-11-2021

Heard Mr. Talha Abdul Rahman and Mr. Bilal Ikram, learned counsel for the petitioner in PIL No. 65/2021 as well as Mr. T.J. Mahanta, learned senior counsel for the Gauhati High Court in PIL (Suo Motu) No. 6/2021. Also heard Mr. D. Saikia, learned Advocate General, Assam and Mr. J. Handique, learned Standing Counsel, Revenue & Disaster Management Department, Government of Assam, appearing for the respondents.

Mr. D. Saikia, learned Advocate General, Assam seeks one week's time to file a detailed counter affidavit.

Time granted.

The petitioner may file his rejoinder within three weeks thereafter.

Advance copy of the counter affidavit shall be given to the learned counsel for the petitioner.

Mr. D. Saikia states that as of now for the remaining alleged encroachers, no coercive measure is being adopted as efforts are being made to convince them to move to the demarcated area.

All the same, as and when such measures are adopted, the petitioner would be at liberty to move an application before this Court.

List again on **14.12.2021** along with PIL No. 69/2021.

JUDGE

CHIEF JUSTICE

Comparing Assistant