GAHC010245602022

undefined

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

Case No. : WA/53/2023

KABINDRA PRASAD SARMA AND ANR
S/O LATE SANKAR PRASAD SARMA
BORDOLOI, KAMAKHYA DEVALAYA RESIDENT OF KAMAKHYA DHAM
GUWAHATI, 781010 ASSAM

2: THE DEITY OF GODDESS SRI SRI KAMAKHYA
REPRESENTED BY THE BOARD OF TRUSTEES/BARDEURI SAMAJ
NAMELY PHANINDRA SARMA
SON OF LATE SITARAM SARMA
KAMAKHYA DEVALAYA KAMAKHYA HILL
GUWAHATI 78101

VERSUS

THE STATE OF ASSAM AND 67 ORS.
REPRESENTED BY THE SECY. TO THE GOVT. OF ASSAM, DEPTT. OF REVENUE, DISPUR, GUWAHATI 781006

2:THE DEPUTY COMMISSIONER
KAMRUP
GUWAHATI

3:THE SETTLEMENT OFFICER
KAMRUP.

4:THE ADDITIONAL DEPUTY COMMISSIONER
REVENUE
KAMRUP
GUWAHATI.

5:SHRI RADHIKA KALITA
SON OF LATE AMBIRAM KALITA

6:SHRI JITEN DAS
SON OF LATE GOBINDA DAS

7:SRI BASU DEV GAYAN
SON OF LATE DABIN GAYAN

8:SHRI SUNESWAR DAS
SON OF BHOLARAM DAS

9:SHRI SAMIR SARMA
SON OF SHRI AMRIT SHARMA

10:SHRI JAGADISH SARMA
SON OF SHRI KHARGESWAR SARMA

11:SHRI MUHIT SARMA
SON OF SHRI PARAMANANDA SARMA

12:SRI SAILESWAR SARMA
SON OF LATE SAKRESWAR SARMA

13:SRI RATUL PRASAD SARMA
SON OF LATE HIRANYA PRASAD SARMA

14:SRI NALIN PRASAD SARMA
SON OF SRI KAMALA PRASAD SARMA

15:SHRI KAJAL SARMA
SON OF SHRI SANKAR SARMA

16:GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY
BHANGAGARH
GUWAHATI

17:COMMISSIONER AND SECRETARY
HOUSING AND URBAN AFFAIRS DEPARTMENT
GOVT. OF ASSAM
DISPUR
GUWAHATI-781005.

18:SRI LALIT MOHAN DAS
VILLAGE KAMAKHYA GAON
MAUJA JALUKBARI
POST OFFICE GUWAHATI-12
DISTRICT KAMRUP

19:SHRI JOGESWAR SAIKIA

S/O SHRI MALBHOG SAIKIA
ADDRESS KALIPUR
GUWAHATI
P.S. BHARALUMUKH UNDER MAUZA JALUKBARI DISTRICT KAMRUP
ASSAM

20:. SRI MAHANTA SWAMI RASH BEHARI DAS KATHIA BABA
SON OF SHRI MAHANTA SWAMI DHANANJOY DAS KATHIA BABA
GURUKUL ROAD
POST OFFICE VRINDAVAN
DISTRICT MATHURA
UTTAR PRADESH
REPRESENTED BY HIS CONSTITUTED ATTORNEY SRI NISHITENDU DHAR
ADVOCATE SON OF LATE NAGENDRA KUMAR CHOUDHURY
A.K.AZAD ROAD
REHABARI
P.PO.GUWAHATI-08
DISTRICT KAMRUP
ASSAM

21:SHRI NANDI NATH SARMA
ASSAM

22:SHRI PURNA CHANDRA SARMA
S/O SHRI PRABHAT CH.SARMA RESIDENT OF KAMAKHYA HILL TOP
P.S. JALUKBARI
GUWAHATI

23:SRI SUBHAS SARMA
S/O SHRI PRABHAT CH.SARMA RESIDENT OF KAMAKHYA HILL TOP
P.S. JALUKBARI
GUWAHATI

24:SRI MRINAL SARMA
S/O SHRI ARUN CH.SARMA RESIDENT OF KAMAKHYA HILL TOP
P.S. JALUKBARI
GUWAHATI

25:SRI KALYAN SARMA
S/O SHRI ARUN CH.SARMA

RES. 21 TO 25 ARE RESIDENT OF KAMAKHYA HILL TOP
P.S. JALUKBARI
GUWAHATI

26:SRI PALIT KR BORA
S/O LATE PADMANATH BORA R/O DAHABARACHUK
JORHAT-01

PRESENTLY RESIDING AT ARUNADAY APARTMENT BLOCK NO.1
FLAT NO 302

27:ASHEERBAD CONSTRUCTION COMPANY PVT LTD

INCORPORATION NO 03-04583
REPRESENTED BY ITS DIRECTOR SMTI RATNA SARMAH

28:SRI RABINDRA NATH SARMAH
S/O LATE PITAMBAR SARMAH R/O MALIGAON CHARIALI
P/S JALUKBARI GUWAHATI-11

29:SRI NILAMBAR SARMAH
RESIDENTS OF A.T. ROAD
VILLAGE AND P.O.-KAMAKHYA
P.S. JALUKBARI
GUWAHATI KAMRUP METRO

30:SRI BHABA KT. SARMAH
RESIDENTS OF A.T. ROAD
VILLAGE AND P.O.-KAMAKHYA
P.S. JALUKBARI
GUWAHATI KAMRUP METRO

31:SRI KAMALA KT. SARMAH
RESIDENTS OF A.T. ROAD
VILLAGE AND P.O.-KAMAKHYA
P.S. JALUKBARI
GUWAHATI KAMRUP METRO

32:SRI LAKSHI KT. SARMAH
RESIDENTS OF A.T. ROAD
VILLAGE AND P.O.-KAMAKHYA
P.S. JALUKBARI
GUWAHATI KAMRUP METRO

33:WEST GUWAHATI COLLEGE OF EDUCATION
PANDUNATH GUWAHATI
KAMRUP
ASSAM REPRESENTED BY PRINCIPAL AND SECRETARY SMT GITANJALI CHOUDHURY

34:SMT GITANJALI CHOUDHURY
WIFE OF SRI BRAJENDRA CHOUDHURY
RESIDENT OF KAHILIPARA
SURABHI PATH
JANAKPUR
GUWAHATI 5

35:THE DEPUTY REGISTRAR
KAMRUP METRO PANBAZAR
GUWAHATI-781001

36:THE SENIOR SUB REGISTRAR
KAMRUP METRO PANBAZAR
GUWAHATI-781001

37:THE SUB REGISTRAR
KAMRUP METRO PANBAZAR
GUWAHATI-781001

38:THE JOINT SUB REGISTRAR
KAMRUP METRO PANBAZAR
GUWAHATI-781001

39:THE DEPUTY COMMISSIONER
KAMRUP METRO
GUWAHATI-781001

40:THE ADDITIONAL DEPUTY COMMISSIONER REVENUE
KAMRUP METRO
GUWAHATI-781001

41:DR. SUBHASH KHANNA
S/O SRI KRISHANLAL KHANNA MANAGING DIRECTOR OF SWAGAT HOSPITAL P LTD. BHARALUMUKH
GUWAHATI-09

42:SHRI BRAJEN KALITA
S/O LATE NAREN KALITA R/O KALIPUR
GUWAHATI
DIST KAMRUP ASSAM

43:SUBHAM PLANNERS LTD.
FORMERLY SUBHAM PLANNERS PVT. LTD
REGISTERED OFFICE
AT SUBHAM VELOCITY
5TH FLOOR
HARI RAM BORA PATH
G.S. ROAD
OPP- WALFORD
GUWAHATI-5
REPRESENTED BY ITS DIRECTOR
SRI ROHIT LOHIA
R/O SRIKUNI HOUSE
HOUSE NO- 11

MAHADEVPUR
REHABARI
GUWAHATI-8
DIST- KAMRUP (M)
ASSAM.

44:SRI SUPARAS MAL BAID

S/O LATE KANKHYA LAL BAID
R/O MALIGAON
GUWAHATI
DIST- KAMRUP (M)
ASSAM.

45:SRI ARABINDA SENGUPTA
S/O DILIP KUMAR SENGUPTA.

46:SMTI. AJANTA SENGUPTA
W/O SRI ARABINDA SENGUPTA.

47:SMT. KRISHNA BISWAS
S/O LATE PARTHA PRATIM BISWAS

48:SRI PARTHA PRATIM BISWAS

S/O LATE AJIT KUMAR BISWAS.

49:SMT. SUNITA JHABAK
W/O SRI RAJ KUMAR JHABAK

50:SMT. SONU SETHIA
W/O SRI DHANPAT R. SETHIA

51:SRI DHANPAT R. SETHIA

S/O SRI SUMER MAL SETHIA

52:SRI KRISHNA SHARMA
S/O SRI SANWARMAL SHARMA.

53:SMT. KALPANA NEOG
W/O SRI KABYAJYOTI NEOG

54:KABYAJYOTI NEOG
S/O LATE JYOTISH CHANDRA NEOG

55:SRI VIMAL CHAND KHAJANCHI
S/O LATE VALCHAN KHANCHI

56:SMTI. CHANDRAKALA KHAJANCHI
W/O SRI VIMAL CHAND KHAJANCHI

57:SMT. PARWATI DEVI HARLALKA
W/O LATE NAND KISHORE HARLALKA

58:SRI JITENDRA KUMAR YADAV
S/O SRI PRABHUNATH YADAV

59:SRI AMIT KUMAR YADAV
S/O SRI PRABHU NATH YADAV

60:SRI SANDIP KEDIA
S/O SRI MAHABIR PRASAD KEDIA

61:SRI SANJIB KUMAR MITRA
S/O LATE BYOMKESH MITRA

62:SRI SEKHAR PODDAR
S/O LATE SRISH CHANDRA PODDAR

63:SMTI. SNEHA HARLALKA
D/O LATE DILIP AGARWAL

64:SMTI. SWAPNA DUTTA
W/O LATE PANKAJ DUTTA
RESPONDENT NO 45 TO 64 ADDRESS ARE - RESIDENT OF DWARKA ENCLAVE
MALIGAON
GUWAHATI-781012
KAMRUP (M)
ASSAM.

65:SRI PRABEEN MASKARA
S/O LATE MAHABIR PRASAD MASKARA
R/O B.K. KAKATI ROAD
ULUBARI
GUWAHATI-781007

66:SHRI PAWAN KUMAR GOEL
S/O SHER SINGH GOEL
R/O LAMB ROAD
AMBARI
GUWAHATI-781001.

67:M/S ACCENT REALCON PVT. LTD.
HAVING ITS REGISTERED OFFICE AND PRINCIPAL PLACE OF BUSINESS

AT B.K. KAKATI ROAD
ULUBARI
GUWAHATI-781001 REPRESENTED BY ITS DIRECTOR.

68:SRI RIJU PRASAD SARMA
S/O LATE RABATI PRASAD SARMA
RESIDENT OF KAMAKHYA HILL
GUWAHATI 781010
KAMRUP (M) ASSAM

Advocate for the Petitioner : MR. A BORPUZARI, MR D K MISHRA,MR. M MORE

Advocate for the Respondent : GA, ASSAM, MR S R A NASER (R-65,66,67),MR G ALAM (R-65,66,67),MR G PATHAK (r-26),MR B SARMAH (r-26),FOR CAVEATOR,MR. R C SAIKIA,SC, REVENUE

Linked Case : I.A.(Civil)/2068/2026

SHRI PAWAN KUMAR GOEL
S/O. SHER SINGH GOEL
R/O LAMB ROAD
AMBARI
GUWAHATI 781001

2: PRABEEN KR MASKARA
S/O. LATE MAHABIR PRASAD MASKARA
R/O B. KAKATI ROAD
ULUBARI
GUWAHATI 781007

3: MS ACCENT REALCON PVT LTD
HAVING ITS REGISTERED OFFICE AND PRINCIPAL PLACE OF BUSINESS AT
B.K. KAKATI ROAD
ULUBARI
GUWAHATI-781007 REPRESENTED BY ITS DIRECTOR
VERSUS

KABINDRA PRASAD SARMA AND ANR
S/O. LATE SANKAR PRASAD SARMA BORDOLOI
KAMAKHYA DEVALAYA RESIDENT OF KAMAKYA DHAM
GUWAHATI - 781010
ASSAM

2:THE DEITY OF GODDESS SRI SRI KAMAKHYA
REPRESENTED BY THE BOARD OF TRUSTEES/BARDEURI SAMAJ
NAMELY PHANINDRA SARMA
S/O. LATE SITARAM SARMA
KAMAKHYA DEVALAYA KAMAKHYA HILL
GUWAHATI - 781001

Advocate for : MR S R A NASER
Advocate for : GA
ASSAM appearing for KABINDRA PRASAD SARMA AND ANR

BEFORE

HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HON'BLE MR. JUSTICE PRANJAL DAS

O R D E R

15.10.2026

(K.R. Surana, J)

Heard Mr. A. Phukan, learned counsel for the applicant, who has appeared through video conferencing mode. Also heard Mr. P. Sarma, learned counsel for the respondent nos. 1 and 2.

2. On the prayer made by learned counsel for the applicant, the applicant is permitted to withdraw this interlocutory application and to approach the appropriate Court and/or the concerned authorities for redresal of the grievances, if any.

3. Accordingly, the prayer is allowed.

4. This interlocutory application stands disposed of with liberty as prayed for.

JUDGE **JUDGE**

Comparing Assistant