GAHC010217602026

2026:GAU-AS:15716

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

Case No. : WP(C)/5444/2026

JOMER ALI ALIAS JAMER ALI AND 1 ANR
SO LT JABAR ALI ALIAS JAFAR ALI, VILL CHARUBAKHRA JANGAL BLOCK, PO- CHIRAKUTA, PS- CHAPAR, DIST -DHUBRI, ASSAM, PIN 783348

2: CHAMER ALI
S/O LT. JABAR ALI ALIAS JAFAR ALI
R/O VILL -CHARUBAKHRA JANGAL BLOCK
PO- CHIRAKUTA
PS- CHAPAR
DIST- DHUBRI
ASSAM
PIN 783348

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR, GHY 06.

2:THE DISTRICT COMMISSIONER CUM DISTRICT COLLECTOR
DHUBRI
ASSAM
PIN 783301

3:THE COMPETENT AUTHORITY FOR LAND ACQUISITION (CALA) CUM (ADDITIONAL DISTRICT COMMISSIONER)

DHUBRI DISTRICT
ASSAM
PIN 783301

4:THE CO DISTRICT COMMISSIONER (CDC)
BILASIPARA

DIST DHUBRI
ASSAM
PIN 783348.

5:THE CIRCLE OFFICER CUM ASSISTANT SETTLEMENT OFFICER
CHAPAR REVENUE CIRCLE
CHAPAR
PO AND PS CHAPAR
DIST DHUBRI
ASSAM
PIN 783371

Advocate for the Petitioner : MR. M HUSSAIN, MR A.K. MOLLAH,MD. A. RASHID

Advocate for the Respondent : GA, ASSAM, SC. REVENUE

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 14.10.2026

Heard Mr. M. Hussain, learned counsel for the petitioners; Ms. N. Bordoloi, learned Standing Counsel, Revenue Department for the respondent no. 1; and Mr. H.K. Hazarika, learned Junior Government Advocate, Assam for the State respondents.

2. For acquisition of an area of land measuring 2 Bighas under the provisions of the Assam Land [Requisition and Acquisition] Act, 1964, the petitioners were awarded an amount of Rs. 29,52,000/- towards acquisition of land vide Award no. 57 and another amount vide Award no. 39, in LA Case no. 3/2025-26 by the respondent no. 3 as the Land Acquisition Officer.

3. Aggrieved by inadequacy of the compensation amounts so awarded, the petitioners had submitted two applications, both dated 16.12.2025, seeking referral before the respondent no. 2 under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Re-Settlement Act, 2013 [‘the RFCTLARR Act’, for short], instead of Section 12 of the Assam Land [Requisition and Acquisition] Act, 1964. As despite such applications for referral no action was found to have been taken by the respondent

authorities, including the respondent no. 2 and the respondent no. 3, the petitioners were before this Court.

4. On 05.10.2026, the learned counsel appearing for the State respondents were asked to obtain instructions whether the applications, stated to have been filed by the petitioners, had been referred by the respondent no. 2 or the respondent no. 3 to the Court of competent jurisdiction or not, or if the applications were pending without any referral.

5. Today Mr. Hazarika has submitted, on the basis of instructions received from the respondent no. 2, that the applications have already been referred to the Court of learned District Judge, Dhubri who is the Land Acquisition, Rehabilitation and Resettlement [LARR] Authority on 09.10.2026. Mr. Hazarika has placed a copy of an Office Letter bearing no. DRA.23/2026/APDCL/Scc64/5 dated 09.10.2026 of the Competent Authority, Land Acquisition addressed to the learned District Judge, LARR Authority, Dhubri.

6. By the Office Letter dated 09.10.2026, the following awards have been referred :-

Schedule of Reference Statements & Case Particulars

Sl. No.	**Statutory particulars**	**Case Records & Details**
1.	Name and Full Address of the claimant[s]	Jamer Ali, S/o-Jafar Ali Sheikh
2.	Name of the Requiring Body/ Project Beneficiary	APDCL, Guwahati
3.	Name of the Public Purpose/ Infrastructure Project	Thermal Power Plant Project
4.	Description of Acquired Land Schedule	Dag No. 240 Patta no. 132 Village/Mouza: Charuabokhra Jungle Block

		Area Acquired : 2 Bigha 0 Katha 0 Lessa
5.	Date of Publication of Section 11 Notification [As per Assam Land Requisition and Acquisition Act, 1964 Section U/S 6[1] published in the Assam Gazette vide No. 744	19.11.2025
6.	**Date & Number of the Final Land Award**	**Award no. 57, 39 & 40 Dated 22.05.2025**
7.	Total Compensation Amount Awarded by CALA	Rs. 29,52,000.00 & 7,60,288.00 & 1,04,482.00 Dtd. 27.04.2026, 20.04.2026 & 01.01.2026
8.	Date of Disbursal & Acceptance Under Protest	[Accepted under Protest : No]

7. As the applications for reference against Award no. 39 and Award no. 57 have already been referred to the LARR Authority, the instant writ petition is closed as it requires no further adjudication.

8. The documents placed by Mr. Hazarika are kept with the case records by marking it as Document – 'X'.

JUDGE

Comparing Assistant