



GAHC010131962023



2025:GAU-AS:3810

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

**Case No. : CRP/68/2023**

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI, SILCHAR, DIST- CACHAR, PIN-788005, ASSAM,  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
POWER DEPARTMENT, DISPUR, GUWAHATI-06

2: THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3: RABIJUL HAQUE MAZUMDER  
S/O- LATE AJOB ALI MAZUMDER

VILL- MOHANPUR GRANT

P.S- ALGAPUR  
DIST- HAILAKANDI  
P.O- MOHANPUR  
ASSAM  
PIN-78815

**Advocate for the Petitioner** : MR. N C DAS, MS M BORAH, MS. M DEVI, MR. A DAS

**Advocate for the Respondent** : GA, ASSAM, MR. R A MAZUMDER (r-3), MR. R A CHOUDHURY (r-3)



Linked Case : CRP/104/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:ON THE DEATH OF SURMAN ALI MAZARBHUIYA  
HIS LEGAL HEIRS

4:MAHMUD ALI MAZARHUIYA  
S/O LATE SK. AFTAB UDDIN  
R/O VILL-RONGPUR NORTH  
P.S.-HAILAKANDI  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

5:SAKAT ALI MAZARBHUIYA  
S/O LATE SK. AFTAB UDDIN  
R/O VILL-RONGPUR NORTH  
P.S.-HAILAKANDI  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

6:HILAL UDDIN MAZARBHUIYA



S/O LATE SK. AFTAB UDDIN  
R/O VILL-RONGPUR NORTH  
P.S.-HAILAKANDI  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND ORS

Linked Case : CRP/90/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:SAYNA BEGUM LASKAR  
D/O LATE ABDUL MUSOBBIR LASKAR  
VILL-NISCHINTAPUR PART II  
P.S.-LALA  
DIST-HAILAKANDI  
P.O.-MONACHERRA  
ASSAM  
PIN-788164

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Advocate for : MR. N C DAS



Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/73/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3:ON THE DEARTH OF SK. SOFIK UDDIN  
HIS LEGAL HEIRS  
I) SK. AMIRUN NESSA  
W/O- LATE SK. SOFIK UDDIN.

II)SK. HUSSAIN AHMED (SON)  
III)SK NURUL HAQUE (SON)  
IV) SK AYNUL HAQUE

ALL SONS OF LATE SK. SOFIK UDDIN  
ALL R/O  
VILL- MOHANPUR GRANT

P.S- ALGAPUR

P.O- MHANPUR  
DIST- HAILAKANDI  
ASSAM  
PIN-788150  
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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/92/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:LAKSHMIPRASAD MAL  
S/O RATAN MAL  
VILL-MOHONPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHONPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/102/2023



POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:SWOPON KUMAR DAS  
S/O LATE NARENDRA CHANDRA DAS  
VILL-BARBOND PART II  
P.S.-LALA  
P.O.-BARBOND  
DIST-HAILAKANDI  
ASSAM  
PIN-788164

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/80/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DISTRICT- CACHAR

PIN- 788005  
ASSAM



REPRESENTED BY THE MANAGER.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM

POWER DEPTT.  
DISPUR

GUWAHATI-6.

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DISTRICT- HAILAKANDI.

3:AJANTA MAL  
W/ SHRI SUNTU MAL

R/O- VILL. MOHANPUR GRANT

P.O.- MOHANPUR  
P.S.- ALGAPUR

DISTRICT- HAILAKANDI  
ASSAM

PIN- 788150.

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/136/2024

NORTH EAST TRANSMISSION COMPANY LIMITED  
NIZARAPAR SAMSAN PATH  
A K DEV ROAD  
NEAR GORCHUK CHARIALI  
ASSAM  
781035 REPRESENTED BY THE DEPUTY MANAGER  
SRI NIRANJAN RABHA.



VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
POWER DEPARTMENT  
DISPUR GUWAHATI 06

2:THE DISTRICT COMMISSIONER

HAILAKANDI DISTRICT  
HAILAKANDI  
ASSAM

3:MD. ABDUL HUSSAIN LASKAR  
S/O LATE ABDUL MUSOBBIR LASKAR

RESIDENT OF NISCHINTAPUR PART II  
PO AND DIST HAILAKANDI  
PO MONACHERRA  
ASSAM 788164

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/85/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST-CACHAR  
PIN-788005  
ASSAM REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER



HAILAKANDI  
DIST-HAILAKANDI

3:ON THE DEATH OF SK. AFTAB UDDIN  
HIS LEGAL HEIRS

4:MUSTT. JAMILA KHATUN  
W/O LATE SK. AFTAB UDDIN  
R/O VILL-MOHANPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

5:SK. HUSSIN AHMED  
S/O LATE SK. AFTAB UDDIN  
R/O VILL-MOHANPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

6:SK. ALTAF HUSSAIN  
S/O LATE SK. AFTAB UDDIN  
R/O VILL-MOHANPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

7:SK. ABUL HUSSAIN  
S/O LATE SK. AFTAB UDDIN  
R/O VILL-MOHANPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHANPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

8:SK. JAKIR HUSSAIN  
S/O LATE SK. AFTAB UDDIN  
R/O VILL-MOHANPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHANPUR  
DIST-HAILAKANDI



ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/69/2023

NORTH EAST TRANSMISSION CO LTD  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3:SUKESH MOHALI  
S/O- LATE SUSHIL MOHALI

R/O VILL- MOHANPUR GRANT  
P.S- ALGAPUR  
DIST- HAILAKANDI  
P.O- MOHANPUR  
ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS



Linked Case : CRP/96/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:LABANYA KUMAR NATH  
S/O LATE LAL MOHAN NATH  
VILL- LAKSHMINAGAR I  
P.O.-NISCHINTAPUR  
DIST/P.S.-HAILAKANDI  
PIN-788164  
ASSAM

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Advocate for : MR. N C DAS

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/91/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER



VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:IRSHAD ALI CHOUDHURY  
S/O LATE HAZI SUNAHOR ALI CHOUDHURY  
VILL- NISCHINTAPUR PART II  
P.S. AND DIST- HAILAKANDI  
P.O.-MONACHERRA  
ASSAM  
PIN-788164

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Advocate for : MR. N C DAS

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/95/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE CHIEF MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR



GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:MUSTT. KAMIRUN NESSA BARBHUIYA  
W/O LATE HORUDHAN ALI BARBHUIYA  
VILL- LAKSHMINAGAR RA  
P.O.-LAKSHMINAGAR  
PIN-788164  
ASSAM

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/135/2024

NORTH EAST TRANSMISSION COMPANY LTD  
NIZARAPAR SAMSAN PATH  
A K DEV ROAD  
NEAR GORCHUK CHARIALI  
ASSAM  
781035 REPRESENTED BY THE DEPUTY MANAGER  
SRI NIRANJAN RABHA.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
POWER DEPARTMENT  
DISPUR GUWAHATI 06

2:THE DISTRICT COMMISSIONER

HAILAKANDI DISTRICT  
HAILAKANDI  
ASSAM

3:MD. JASIM UDDIN LASKAR

S/O LATE KAMIL UDDIN LASKAR



RESIDENT OF NISCHINTAPUR PART II  
PO AND DIST HAILAKANDI  
PO MONACHERRA  
ASSAM 788164

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/77/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST. CACHAR  
PIN- 788005  
ASSAM  
REPRESENTED BY THE MANAGER.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST. HAILAKANDI  
ASSAM

3:FOYAZ UDDIN BARBHUIYA  
S/O- LATE ASHAID ALI BARBHUIYA  
VILL.- RATANPUR PART-II  
P.O. RATANPUR  
P.S. ALGAPUR  
DIST. HAILAKANDI  
P.O. MOHONPUR  
ASSAM  
PIN- 788150.

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Advocate for : MR. N C DAS  
Advocate for : GA



ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/87/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR

DISTRICT- CACHAR  
PIN- 788005

ASSAM  
REPRESENTED BY THE MANAGER.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6.

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DISTRICT- HAILAKANDI.

3:SK. NUR ISLAM  
S/O LATE IBRAHIM ALI

R/O- VILL. MOHANPUR GRANT

P.O.- MOHANPUR  
P.S.- ALGAPUR

DISTRICT- HAILAKANDI  
ASSAM

PIN- 788150.

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS



Linked Case : CRP/72/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3:MD. MASHUK UDDIN LASKAR  
S/O- IRMAN ALI LASKAR

R/O VILL- PURBAGUL

P.S- HAILAKANDI

DIST- HAILAKANDI

P.O- SAMARIKUNA  
ASSAM  
PIN-788155

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Advocate for : MR. N C DAS

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/75/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR



DIST. CACHAR  
PIN- 788005  
ASSAM  
REPRESENTED BY THE MANAGER.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST. HAILAKANDI  
ASSAM

3:SAMS UDDIN LASKAR  
S/O- LATE FARJAN ALI LASKAR  
VILL.- NISCHINTAPUR GRANT PART II  
P.O. AND DIST. HAILAKANDI  
P.O.MONACHERRA  
ASSAM  
PIN- 788164.

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/79/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS



REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:AZMOT ALI LASKAR  
S/O LATE ABDUL NOOR LASKAR  
P.S. AND DIST- HAILAKANDI  
P.O.-MONACHERRA  
ASSAM  
PIN-788164

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/70/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3:INDRAJIT BHOWMICK  
S/O- LATE LOLIT MOHAN BHOWMICK



VILL- LAKSHMINAGAR R.A

P.S- LALA

DIST- HAILAKANDI

P.O- LAKSHMINAGAR

ASSAM

PIN-788164

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Advocate for : MR. N C DAS

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/61/2023

NORTH EAST TRANSMISSION COMPANY LIMITED

RANGIRKHARI

SILCHAR

DIST.- CACHAR

PIN- 788005

ASSAM REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS.

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.

OF ASSAM POWER DEPARTMENT

DISPUR

GHY-6

2:THE DEPUTY COMMISSIONER

HAILAKANDI

DIST.- HAILAKANDI

3:SWOPON KUMAR DAS

S/O- LATE NARENDRA CHANDRA DAS

VILL- BARBOND PART-II

P.S. LALA

P.O. BARBOND

DIST.- HAILAKANDI

ASSAM

PIN- 788164

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS.

Linked Case : CRP/74/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3:SUNIL MADRAJI  
S/O- LATE KALI CHARAN MADRAJI  
R/O VILL- MOHANPUR GRANT  
P.S- ALGAPUR  
DIST- HAILAKANDI  
P.O- MOHANPUR  
ASSAM  
PIN-788150

-----  
Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/101/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT



P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:SMT. ANJALI MAHALI  
W/O ANIL MAHALI  
VILL-MOHONPUR GRANT  
P.S.-ALGAPUR  
P.O.-MOHONPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/65/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST-CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS



THE STATE OF ASSAM AND 2 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:JOYNUL HUSSAIN MAZUMDER  
S/O LATE RASID ALI MAZUMDER  
VILL- NISCHINTAPUR PART II  
P.S./DIST- HAILAKANDI  
ASSAM  
PIN-788164

-----  
Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS.

Linked Case : CRP/100/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI



DIST-HAILAKANDI

3:ALAUDDIN BARBHUIYA  
S/O LATE ABDUL KARIM BARBHUIYA  
VILL- KALINAGAR PT-VII  
P.O.-UTTAR KANCHANPUR  
DIST- HAILAKANDI  
PIN-788801  
ASSAM

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/89/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:SMT. SUMITRA MAL  
W/O LATE MONORANJAN MAL  
VILL- MOHONPUR GRANT  
P.S.-ALGAPUR  
DIST- HAILAKANDI  
P.O.-MOHONPUR  
ASSAM  
PIN-788150



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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/62/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST-CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:SMT. ANJALI MAHALI  
W/O ANIL MOHALI  
VILL-MOHONPUR GRANT  
P.S.-ALGAPUR  
P.O.-ALGAPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/71/2023



NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
ASSAM

3:MONA MAL  
S/O- LATE MANORANJAN MAL  
R/O VILL- MOHANPUR GRANT  
P.S- ALGAPUR  
DIST- HAILAKANDI  
P.O- MOHANPUR  
ASSAM  
PIN-788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/97/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER



VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:SAJAL KANTI NATH  
S/O LATE GOALP MONI NATH  
VILL- LAKSHMINAGAR I  
P.O.-NISCHINTAPUR  
DIST/P.S.-HAILAKANDI  
PIN-788164  
ASSAM

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/94/2023

POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6



2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:REJUANA BEGOM MAZUMDER  
D/O AYNUL HAQUE MAZUMDER  
VILL- BONDUKMARA  
DIST AND P.S.-HAILAKANDI  
PIN-788155  
ASSAM

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/63/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST-CACHAR  
PIN-788005  
ASSAM  
REPRESENTED BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:LAKSHMIPRASAD MAL  
S/O RATAN MAL  
VILL-MOHONPUR GRANT  
MOHONPUR  
DIST-HAILAKANDI  
ASSAM  
PIN-788150



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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/76/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST. CACHAR  
PIN- 788005  
ASSAM  
REPRESENTED BY THE MANAGER.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6.

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST. HAILAKANDI  
ASSAM

3:ABU BAKKAR LASKAR  
S/O- LATE ANFOR ALI LASKAR  
VILL.- NISCHINTAPUR PART-II  
P.S. AND DIST. HAILAKANDI  
P.O. MONACHERRA  
ASSAM  
PIN- 788164.

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/98/2023



POWER GRID CORPORATION OF INDIA LIMITED  
NER BADARPUR GHAT  
P.O.-BADARPUR GHAT  
P.S.-PANCHGRAM  
DIST- HAILAKANDI  
PIN-788806  
ASSAM  
REPRESENTED BY THE DEPUTY GENERAL MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DIST-HAILAKANDI

3:MD. HILAL UDDIN BARBHUIYA  
S/O LATE HORUDHAN ALI BARBHUIYA  
VILL- LAKSHMINAGAR RA  
P.O.-LAKSHMINAGAR  
DIST- HAILAKANDI  
PIN-788164  
ASSAM

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/64/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DISTRICT- CACHAR  
PIN- 788005  
ASSAM REPRESENTED BY THE MANAGER

VERSUS



THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
POWER DEPT.  
DISPUR  
GUWAHATI-6

2:THE DEPUTY COMMISSIONER  
HAILAKANDI  
DISTRICT- HAILAKANDI

3:SHIVCHARAN MADRAJI  
S/O- LATE APANNA MADRAJI  
VILL. MOHONPUR GRANT  
P.S.- ALGAPUR  
P.O.- MOHONPUR  
DISTRICT- HAILAKANDI  
ASSAM  
PIN- 788150

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/82/2023

NORTH EAST TRANSMISSION COMPANY LIMITED  
RANGIRKHARI  
SILCHAR  
DIST- CACHAR  
PIN-788005  
ASSAM  
REP. BY THE MANAGER

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
POWER DEPARTMENT  
DISPUR  
GUWAHATI-06

2:THE DEPUTY COMMISSIONER  
HAILAKANDI



ASSAM

3:KAYAZUR RAHMAN BARBHUIYA  
S/O- LATE SURMAN ALI BARBHUIYA  
VILL- RATANPUR PART II  
P.S AND DIST- HAILAKANDI  
P.O- RATANPUR  
ASSAM  
PIN-788155

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Advocate for : MR. N C DAS  
Advocate for : GA  
ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

Linked Case : CRP/137/2024

NORTH EAST TRANSMISSION COMPANY LIMITED  
NIZARAPAR SAMSAN PATH  
A K DEV ROAD  
NEAR GORCHUK CHARIALI  
ASSAM  
781035 REPRESENTED BY THE DEPUTY MANAGER  
SRI NIRANJAN RABHA.

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
POWER DEPARTMENT  
DISPUR GUWAHATI 06

2:THE DISTRICT COMMISSIONER

HAILAKANDI  
ASSAM

3:ON THE DEATH OF SMTI SUDHA RANI DAS  
HER LEGAL HEIRS NIKHIL CHANDRA DAS

S/O LATE NARENDRA CHANDRA DAS

RESIDENT OF VILLAGE BORBOND PART I  
PS LALA AND DISTRICT HAILAKANDI  
PO MONACHERRA



ASSAM 788164

4:SUNIL CHANDRA DAS  
S/O LATE NARENDRA CHANDRA DAS

RESIDENT OF VILLAGE BORBOND PART I  
PS LALA AND DISTRICT HAILAKANDI  
PO MONACHERRA  
ASSAM 788164

5:SWAPAN KUMAR DAS

S/O LATE NARENDRA CHANDRA DAS

RESIDENT OF VILLAGE BORBOND PART I  
PS LALA AND DISTRICT HAILAKANDI  
PO MONACHERRA  
ASSAM 788164  
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**B E F O R E**  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**

Advocate for the petitioner(s): Mr. NC Das, Senior Advocate  
Ms. M Devi

Advocate for the respondent(s): Mr. K Bhattacharjee,  
Govt. Advocate, Assam  
Mr. RA Choudhury for Private respondents

Date of hearing & judgment : **25.03.2025**

**JUDGMENT & ORDER (ORAL)**



Heard Mr. NC Das, the learned senior counsel, assisted by Ms. M Devi, the learned counsel appearing on behalf of the petitioner. Mr. K Bhattacharjee, the learned Government Advocate, Assam appears on behalf of the State respondents and Mr. RA Choudhury, the learned counsel appears on behalf of the claimants/private respondents in the instant batch of proceedings except the claimants in CRP No.95/2023. Taking into consideration, the order which this Court proposes to pass, the appearance of the claimants in CRP No.95/2023 are dispensed with.

2. Taking into account the grounds on which the present applications are filed invoking the supervisory jurisdiction of this Court under Article 227 of the Constitution, this Court takes up all these applications together for disposal by this common judgment and order. For the sake of clarity, this Court would give a brief detail of the challenge made in the instant batch of applications.

3. **CRP No.68/2023**

In the instant application, the petitioner herein had assailed the order passed on 19.09.2022 in Misc. (P.G) Case No.42/2016, whereby an amount of Rs.3,14,470/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Telegraph Act, 1885 (for short, the Act of 1885). It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

4. **CRP No.61/2023**



In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.06/2016, whereby an amount of Rs.10,94,169/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

5. **CRP No.62/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.26/2016, whereby an amount of Rs.9,90,199.86p along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

6. **CRP No.63/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.12/2016, whereby an amount of Rs.1,61,200/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

7. **CRP No.64/2023**

In the instant application, the petitioner herein had assailed the order passed



on 12.08.2022 in Misc. (P.G) Case No.40/2016, whereby an amount of Rs.9,47,268.58p along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

8. **CRP No.65/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.59/2015, whereby an amount of Rs.2,72,400/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

9. **CRP No.69/2023**

In the instant application, the petitioner herein had assailed the order passed on 18.08.2022 in Misc. (P.G) Case No.24/2016, whereby an amount of Rs.8,83,130/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

10. **CRP No.70/2023**

In the instant application, the petitioner herein had assailed the order passed on 04.11.2022 in Misc. (P.G) Case No.23/2015, whereby an amount of



Rs.2,10,480/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**11. CRP No.71/2023**

In the instant application, the petitioner herein had assailed the order passed on 15.11.2022 in Misc. (P.G) Case No.08/2016, whereby an amount of Rs.6,62,715/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**12. CRP No.72/2023**

In the instant application, the petitioner herein had assailed the order passed on 26.10.2022 in Misc. (P.G) Case No.03/2016, whereby an amount of Rs.1,62,981/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**13. CRP No.73/2023**

In the instant application, the petitioner herein had assailed the order passed on 07.01.2023 in Misc. (P.G) Case No.13/2016, whereby an amount of Rs.34,580/- along with interest @ 6% per annum from the date of filing of the



petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**14. CRP No.74/2023**

In the instant application, the petitioner herein had assailed the order passed on 28.10.2022 in Misc. (P.G) Case No.41/2016, whereby an amount of Rs.8,02,835/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**15. CRP No.75/2023**

In the instant application, the petitioner herein had assailed the order passed on 05.08.2022 in Misc. (P.G) Case No.36/2016, whereby an amount of Rs.1,48,800/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**16. CRP No.76/2023**

In the instant application, the petitioner herein had assailed the order passed on 03.09.2022 in Misc. (P.G) Case No.44/2015, whereby an amount of Rs.10,41,207/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885.



It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**17. CRP No.77/2023**

In the instant application, the petitioner herein had assailed the order passed on 29.10.2022 in Misc. (P.G) Case No.35/2016, whereby an amount of Rs.94,720/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**18. CRP No.79/2023**

In the instant application, the petitioner herein had assailed the order passed on 29.09.2022 in Misc. (P.G) Case No.37/2015, whereby an amount of Rs.2,32,800/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**19. CRP No.80/2023**

In the instant application, the petitioner herein had assailed the order passed on 10.08.2022 in Misc. (P.G) Case No.10/2016, whereby an amount of Rs.3,59,915/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the



total amount payable to the claimants.

**20. CRP No.82/2023**

In the instant application, the petitioner herein had assailed the order passed on 09.09.2022 in Misc. (P.G) Case No.34/2016, whereby an amount of Rs.1,02,720/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**21. CRP No.85/2023**

In the instant application, the petitioner herein had assailed the order passed on 03.01.2023 in Misc. (P.G) Case No.15/2016, whereby an amount of Rs.1,12,904/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**22. CRP No.87/2023**

In the instant application, the petitioner herein had assailed the order passed on 20.10.2022 in Misc. (P.G) Case No.14/2016, whereby an amount of Rs.35,136/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.



**23. CRP No.89/2023**

In the instant application, the petitioner herein had assailed the order passed on 29.09.2022 in Misc. (P.G) Case No.11/2016, whereby an amount of Rs.4,13,420/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**24. CRP No.90/2023**

In the instant application, the petitioner herein had assailed the order passed on 09.09.2022 in Misc. (P.G) Case No.04/2017, whereby an amount of Rs.1,60,800/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**25. CRP No.91/2023**

In the instant application, the petitioner herein had assailed the order passed on 03.09.2022 in Misc. (P.G) Case No.35/2015, whereby an amount of Rs.48,99,571/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.



**26. CRP No.92/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.12/2016, whereby an amount of Rs.1,61,200/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**27. CRP No.94/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.15/2015, whereby the petitioner was directed to make payment to the claimants at an enhanced rate towards compensation to be assessed by the Revenue Authorities under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**28. CRP No.95/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.33/2016, whereby an amount of Rs.5,40,000/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**29. CRP No.96/2023**



In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.55/2015, whereby an amount of Rs.7,82,602/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**30. CRP No.97/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.42/2015, whereby an amount of Rs.68,960/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**31. CRP No.98/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.31/2016, whereby an amount of Rs.3,92,220/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**32. CRP No.100/2023**

In the instant application, the petitioner herein had assailed the order passed



on 12.08.2022 in Misc. (P.G) Case No.76/2015, whereby the petitioner was directed to make payment to the claimants at an enhanced rate towards compensation to be assessed by the Revenue Authorities under Section 16 of the Act of 1885.

**33. CRP No.101/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.26/2016, whereby an amount of Rs.9,90,199.86p along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**34. CRP No.102/2023**

In the instant application, the petitioner herein had assailed the order passed on 12.08.2022 in Misc. (P.G) Case No.06/2016, whereby an amount of Rs.10,94,169/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**35. CRP No.104/2023**

In the instant application, the petitioner herein had assailed the order passed on 03.01.2023 in Misc. (P.G) Case No.19/2016, whereby an amount of Rs.20,941/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It



was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**36. CRP No.135/2024**

In the instant application, the petitioner herein had assailed the order passed on 21.08.2024 in Misc. (P.G) Case No.34/2015, whereby an amount of Rs.8,53,980/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**37. CRP No.136/2024**

In the instant application, the petitioner herein had assailed the order passed on 26.07.2024 in Misc. (P.G) Case No.02/2017, whereby an amount of Rs.80,072/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the total amount payable to the claimants.

**38. CRP No.137/2024**

In the instant application, the petitioner herein had assailed the order passed on 26.07.2024 in Misc. (P.G) Case No.07/2016, whereby an amount of Rs.8,73,306/- along with interest @ 6% per annum from the date of filing of the petition was awarded as compensation under Section 16 of the Act of 1885. It was further observed that the amount already paid shall be deducted from the



total amount payable to the claimants.

39. In the backdrop of the challenge made to the impugned orders in the various proceedings noted above, let this Court take note of the submissions made by the learned senior counsel appearing on behalf of the petitioner. The case of the petitioner as submitted by Mr. NC Das, the learned senior counsel is that the learned Additional District Judge, Hailakandi, who is the authority in terms with Section 16(3) of the Act of 1885 did not decide the question that the application so filed by the claimants under Section 16 of the Act of 1885 was beyond the period of limitation. The learned senior counsel submitted that though Section 16 of the Act of 1885 does not mention any period of limitation, but by virtue of Article 137 of Schedule III to the Limitation Act, 1963 (for short, the Act of 1963), the period of limitation would run from the date the claimants have received compensation. The learned senior counsel appearing on behalf of the petitioner submitted that though Article 137 refers to the right to apply when accrue, but in the instant cases, the right to apply accrue immediately upon receipt of the compensation. As in the instant cases, the applications were filed beyond 3(three) years, the same are barred by limitation.

40. The learned senior counsel further submitted that the claimants have also received the compensation without any protest and as such the claimants had no right to file the application under Section 16 of the Act of 1885. This very aspect of the matter was also not taken into consideration by the learned Additional District Judge, Hailakandi while passing the impugned orders in the various applications filed under Section 16 of the Act of 1885.



41. *Per contra*, Mr. RA Choudhury, the learned counsel appearing on behalf of the claimants/private respondents submitted that Article 137 of the Act of 1963 prescribes a limitation of 3(three) years from the date on which the right to apply accrues. He submitted that the dispute arose when inspite of submission of representations to the authorities, they have not paid any heed to the claims of the private respondents/claimants and as such, the right to accrue applied on such representation not being taken note of. He further submitted that in the impugned orders, it would be seen that this very aspect had been duly dealt with by the Court of the learned Additional District Judge, Hailakandi. In addition to that, the learned counsel also submitted that the learned Court had also taken due note of the fact that the claimants herein are rural people and would not be aware of the technicalities of the legal principles. The learned counsel further submitted that the submission that the claimants have received the compensation without any protest is misconceived and not proved by the petitioner.

42. Mr. K Bhattacharjee, the learned counsel appearing on behalf of the Government of Assam submits that Section 16 of the Act of 1885 is a beneficial and welfare legislation for the benefit of those persons who have been deprived of the use of their own land. He, therefore, submits that the persons concerned, who are actually entitled to the compensation should be given the just and fair compensation, rather than rejecting their claims on technicalities

43. I have heard the learned counsels appearing on behalf of the parties at length and have given my anxious consideration to the submissions made.



44. This Court had also perused the Lower Court Records which have been called for by this Court.

45. For deciding the contention so raised, it is relevant to take note of Section 16(3), 16(4) and 16(5) of the Act of 1885 which is reproduced herein under:

*16(3). If any dispute arises concerning the sufficiency of the compensation to be paid under section 10, clause (d), it shall, on application for that purpose by either of the disputing parties to the District Judge within whose jurisdiction the property is situated, be determined by him.*

*16(4). If any dispute arises as to the persons entitled to receive compensation, or as to the proportions in which the persons interested are entitled to share in it, the telegraph authority may pay into the Court of the District Judge such amount as he deems sufficient or, where all the disputing parties have in writing admitted the amount tendered to be sufficient or the amount has been determined under sub-section (3), that amount; and the District Judge, after giving notice to the parties and hearing such of them as desire to be heard, shall determine the persons entitled to receive the compensation or, as the case may be, the proportions in which the persons interested are entitled to share in it.*

*16(5). Every determination of a dispute by a District Judge under sub-section (3) or sub-section (4) shall be final: Provided that nothing in this sub-section shall affect the right of any person to recover by suit the whole or any part of any compensation paid by the telegraph authority, from the person who has received the same.*



46. From a perusal of Section 16(3), it would be seen that if any dispute arises concerning the sufficiency of the compensation to be paid under Section 10 clause (d), an application can be filed to the District Judge within whose jurisdiction the property is situated for determination as regards the sufficiency of the compensation. In terms with sub-section (4) of Section 16, if any dispute arises as regards the persons entitled to receive compensation or to the apportionment in which the persons interested are entitled to share in it, the Authority and in the instant case the beneficiary of the proceedings i.e. the petitioner herein would be required to pay the said amount in the Court of the learned District Judge as the authorities deem sufficient or where all the disputing parties have in writing admitted the amount tendered to be sufficient or the amount that has been determined under Sub-section (3) by the learned District Judge. The learned District Judge thereupon after giving notice to the parties and hearing such of them as desired to be heard shall determine the persons entitled to receive the compensation or, as the case may be, the proportion in which the persons interested are entitled to share in it.

47. It is very pertinent at this stage to mention at this stage that in Sub-Section (4) of Section 16, there is a mention as to the amount which is required to be deposited before the Court. It refers to three circumstances. First, the amount adjudged by the Authority. Second, the amount the disputing parties have in writing admitted the amount tendered to be sufficient and thirdly, the amount determined by the learned District Judge in terms with Section 16(3) of the Act of 1885.

48. In terms with Sub-Section (5) of Section 16, every determination of a



dispute by the District Judge under Sub-Section (3) or under Sub-Section (4) shall be final. It would be seen from a very perusal of Section 16 of the Act of 1885 that there is no mention as to within what period an application is required to be filed in terms with Section 16(3) of the Act of 1885, save and except, when a dispute arises.

49. In the backdrop of the above, let this Court take note of the submission of Mr. NC Das, the learned senior counsel appearing on behalf of the petitioner, who submits that in terms with Article 137 of the Act of 1963, the period of limitation would be 3(three) years from the date on which the compensation was paid to the claimants. This Court had duly taken note of Article 137 of the Act of 1963, which stipulates that the period of limitation would start when the right to apply accrues. Under such circumstances, if Article 137 of the Act of 1963 is conjunctly read with Section 16(3) of the Act of 1885, it would, therefore, be seen that the right to apply and file the application would arise only when there is a dispute which had arisen for determination as regards the insufficiency of the compensation. The Court of the learned Additional District Judge, Hailakandi, in the impugned orders assailed in the present batch of applications have duly taken note of that the claimants have represented before the authorities concerned as regards the insufficiency of the compensation and the issuance of these representations were not denied by the petitioner. The non-consideration of the representations had led to the dispute and it is under such circumstances, the applications were filed under Section 16(3) before the learned District Judge, Hailakandi which was transferred to the Court of the learned Additional District Judge, Hailakandi for its disposal. There is no evidence adduced by the petitioner when they rejected the representations or



rejected the claims made in the representations. Therefore, in the opinion of this Court, the submission so made by the learned senior counsel for the petitioner is bereft of merit.

50. This Court further finds it relevant to add that the petitioner herein had an opportunity to adduce evidence, but no evidence was adduced except merely stating in the written objection that on certain particular dates, the amounts were received. Considering the above, this Court is of the opinion that the learned Additional District Judge, Hailakandi, while passing the impugned orders, had duly taken note of Section 16(3) of the Act of 1885. Additionally, this Court also finds it relevant to observe that Section 16(3) is a beneficial as well as a welfare legislation aimed at determination of the just and fair compensation. Taking into account the above, this Court finds no ground for interference in respect to the said submission to the effect that the proceedings filed under Section 16(3) were barred by limitation.

51. The next submission so made is that the claimants have received the amount without any objection and as such, the application so filed under Section 16(3) of the Act of 1885 was not tenable. The said submission in the opinion of this Court is misconceived on two counts. First, Section 16(3) does not stipulate a bar to file an application seeking determination of sufficiency of compensation, if the amount is received without protest unlike the second proviso to Section 31 of the Land Acquisition Act, 1894.

52. Secondly, the petitioners herein did not produce any evidence that the



claimants have admitted in writing the amount tendered to be sufficient.

53. Considering the above, this Court finds no ground to exercise the supervisory jurisdiction against the impugned orders assailed in the instant batch of applications. Accordingly, the instant batch of applications stand dismissed. However, in the facts of the case, this Court is not inclined to impose any costs.

54. Before parting with the records, this Court finds it relevant to take note of one submission made by Mr. NC Das, the learned senior counsel for the petitioner that at the time of completion of the delivery of the judgment in respect to Misc.(PG)Case No.12/2016; Misc.(PG)Case No.15/2015; Misc.(PG)Case No.33/2016; Misc.(PG)Case No.55/2015; Misc.(PG)Case No.42/2015, Misc.(PG)Case No.31/2016; Misc.(PG)Case No.76/2015; Misc.(PG)Case No.26/2016 and Misc.(PG)Case No.06/2016, the installation of the overhead transmission line was not done by the Power Grid Corporation of India Limited, but rather it was done by North East Transmission Company Limited and, as such, the imposition of liability upon the Power Grid Corporation of India Limited was not proper. This aspect of the matter in the opinion of the Court can be agitated by the petitioner before the Court of the learned Additional District Judge, Hailakandi by filing review application in that regard. Accordingly, this Court grants 30 days time from today to the petitioner to avail such remedy, if so advised.

55. With the above observation(s), the revision petitions stand disposed of.



**JUDGE**

**Comparing Assistant**