
(2026) 02 GAU CK 1615
In the Gauhati High Court
Case No : WPC Of 182 Of 2026

Mahlequa Mahboobullah

APPELLANT

Vs

State Of Assam And Others

RESPONDENT

Date of Decision : 13-02-2026

Acts Referred:

Citation : (2026) 02 GAU CK 1615

Hon'ble Judges : Devashis Baruah, J

Bench : Single Bench

Advocate : S. Islam, A. Bhattacharyya, N. Goswami

Final Decision : Disposed Of

Judgement

Devashis Baruah, J

1. Heard Mr. S. Islam, the learned counsel appearing on behalf of the petitioners in both the writ petitions. Mr. A. Bhattacharyya, the learned counsel appears on behalf of the Revenue Department of the Government of Assam and Mr. N. Goswami, the learned counsel appears on behalf of the District Administration.

2. Taking into account that in both writ petitions the petitioners have sought for mutation in respect to the same plot of land admeasuring 9.04 lechas covered by Dag No.1558 of KP Patta No.972 within the Revenue Village Sawkuchi Sahar under Beltola Mouza in the district of Kamrup (Metro), Assam, both the writ petitions are taken up for disposal by this common judgment and order.

3. The petitioners in WP(C) No.182/2026 are the legal heirs of one Syed Md. Mahboobullah. The petitioner Nos.1, 2, 3 & 4 are the daughters of Syed Md. Mahboobullah. The petitioner Nos.5 & 6 are the wife and daughter of one Syed Md. Mujahidullah who was the son of Syed Md. Mahboobullah.

4. The petitioner in WP(C) No.422/2026 is the son of one Md. Shamsul Alay. The names of Syed Md. Mahboobullah and Md. Shamsul Alay were recorded as pattadars in respect to Dag No.1558 of Patta No.972 along with others in respect

to an area admeasuring 9.04 lechas.

5. The petitioners in WP(C) No.182/2026 are aggrieved by the non-disposal of the mutation application filed by them. Similarly, the petitioner in WP(C) No. 422/2026 is also aggrieved by non-disposal of the mutation application filed by the petitioner. It is pertinent to mention that the petitioners in WP(C) No.182/2026 had submitted an application seeking mutation on 26.08.2025, and in that regard, an Acknowledgment Number was granted being RTPS/MUTI/2025/4000255. Similarly, the petitioner in WP(C) No.422/2026 also sought for mutation by filing an application on 26.08.2025 and was granted the Acknowledgment Number being RTPS/MUTI /2025/4000004.

6. The grievance of the petitioners in both the writ petitions as stated above is the delay in disposal of the mutation applications. It is submitted by the learned counsel appearing on behalf of the petitioners that such mutation applications ought to have been disposed of within a period of 60 days in terms with the provisions of the Assam Right to Public Services Act, 2012. The same having not been done, the present writ petitions.

7. The record reveals that pursuant to filing of the instant writ petitions, instructions have been sought for by this Court as to why the names of the petitioners in both the writ petitions were not mutated in the record of rights.

8. Today, when both the writ petitions are taken up, this Court enquired as to whether instructions have been received as to why the applications so filed by the petitioners in both the writ petitions have not been disposed of. The learned counsel submitted that he has no instructions in the matter. It is the opinion of this Court that as the mutation proceedings are pending before the respondent No.4 in both the writ petitions, i.e. the Circle Officer, Dispur Revenue Circle, it would not be proper on the part of this Court to deal as to whether the petitioners in both the writ petitions herein are entitled to the mutation of their names in respect to the land in question.

9. It is also very pertinent to take note of the provisions of Assam Right to Public Services Act, 2012 which stipulates a period of 60 days within which such mutation application is required to be disposed of.

10. Considering the above, this Court therefore disposes of both the writ petitions with the following observations and directions:-

(i) The respondent No.4, i.e. the Circle Officer, Dispur Revenue Circle is directed to take effective steps for disposal of both the mutation proceedings initiated on the basis of mutation applications filed bearing Acknowledgement No. RTPS/MUTI/2025/4000255 & Acknowledgement No.RTPS/MUTI/2025/4000004, both dated 26.08.2025 within a period of 60 days from the date a certified copy of this judgment and order is served upon the respondent No.4.

(ii) It is observed that if there is any objection to such application so filed by the petitioners in both the writ petitions, the respondent No.4 shall duly intimate the

petitioners in both the writ petitions in respect to such objection(s) filed. The said intimation shall be provided within a period of 30 days from the date a certified copy of the present judgment and order is served upon the respondent No.4.

(iii) This Court further observes that in the circumstance there is/are any objection(s) from any quarters, thereby objecting the insertion of the names of the petitioners of both the writ petitions in respect to the land in question, the respondent No.4 shall take appropriate steps for dealing with such objections and thereupon dispose of both the mutation applications filed by the petitioners as expeditiously as possible and preferably within six months from the date of the certified copy of the instant judgment and order is served upon the respondent No.4.