

GAHC010004492026



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

Case No. : WP(C)/421/2026

SUBHASHISH CHAKRABORTY
S/O SHRI SHANTIRANJAN CHAKRABORTY
R/O B.T. ROAD, POLICE STATION BONAGAIGAON, POST OFFICE
BONGAIGAON, DISTRICT BONGAIGAON, ASSAM, PIN CODE 783380

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER, FOOD, CIVIL SUPPLIES
CONSUMER AFFAIRS AND LM, ASSAM, ULUBARI, GUWAHATI-7

2:THE DEPUTY COMMISSIONER
BONGAIGAON
DIST BONGAIGAON
PIN -783380
ASSAM

3:THE ADDL DEPUTY COMMISSIONER AND THE CHAIRMAN
E-TENDER COMMITTEE
BONAGAIGAON
DIST BONGAIGAON
PIN - 783380
ASSA

For the Petitioner(s) : Mr. N. N. B. Choudhury, Advocate

For the Respondent(s) : Ms. U. Das, Addl. Sr. GA, Assam

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 22.04.2026

An affidavit-in-opposition has been filed on behalf of the Respondent No.1 wherein it has been mentioned that the Petitioner's entitlement is Rs.100/- per quintal for the transportation of the foodgrains. On the other hand, the Petitioner has entered into a contract with the Deputy Commissioner, Bongaigaon wherein the terms and conditions are specifically stipulated that the amount payable per quintal is Rs.136/-.

2. The Respondent No.1 had relied upon the Food Security (Assistance to the State Government) Rules, 2015 (for short 'the Rules of 2015') and on the basis thereof, it only shows that the Central Government's share is only Rs.100/-.

3. The question therefore arises as to whether the State Government would be liable to pay the additional Rs.36/- per quintal taking into account that the Rules of 2015 or any of the provisions of the National Food Security Act, 2013 do not bar the additional component to be paid by the State Government.

4. In this regard, Mr. N. N. B. Choudhury, the learned counsel appearing on behalf of the Petitioner submitted that the

Petitioner would also like to file an affidavit-in-reply.

5. During the course of hearing, it was brought to the attention of this Court by Ms. U. Das, the learned Additional Senior Government Advocate that the Deputy Commissioner, Bongaigaon has admitted the claim of the Petitioner and an affidavit in that regard by the Deputy Commissioner would also be essential.

6. Accordingly, list this matter again on 22.05.2026.

7. In the meantime, the Deputy Commissioner, Bongaigaon is directed to bring on record his stand by filing the affidavit.

8. The Petitioner would also be at liberty to file reply to the said affidavit-in-opposition to be filed by the Deputy Commissioner, Bongaigaon on or before the next date.

JUDGE

Comparing Assistant