

GAHC010005582025



2026:GAU-AS:2229

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

Case No. : WP(C)/189/2025

RAM CHANDRA NUNIA
SON OF LACHMAN NUNIA, RESIDENT OF SMITH NAGAR PART-II, PO-
CHEAKARCHAM, PS- DHOLAI, PALONGHAT, SONAI, DISTRICT- CACHAR,
PIN- 788116, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, FOOD, CIVIL SUPPLIES AND CONSUMER
AFFAIRS DEPT, DISPUR, GUWAHATI-6

2:THE ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
DISPUR
GUWAHATI-6

3:THE DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPT.
BHANGAGARH
GUWAHATI-5

4:THE DEPUTY DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
SILCHAR
ASSAM

5:THE SUPERINTENDENT
FOOD

CIVIL SUPPLIES AND CONSUMER AFFAIRS
SILCHAR
ASSAM

6:THE DEPUTY COMMISSIONER
CACHAR
ASSAM

7:THE SECRETARY
PALONGHAT COOPERATIVE SOCIETY LTD. P.O.- PALONGHAT
DIST- CACHAR
PIN- 78811

Advocate for the Petitioner : MR. SURAJIT DAS, A S CHOUDHURY

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 16.02.2026

1. Heard Mr. I Borthakur, learned counsel for the petitioner. Also heard Mr. K Gogoi, learned counsel for respondent Nos.1 to 6.
2. The petitioner is a license holder and operator of a Fair Price Shop (FPS) at Smithnagar Pt.-II, PS- Dholai, Cachar district, operating under FPS license No.3276 dated 26.04.2017. The license of the petitioner has been renewed from time to time.
3. The present writ petition is filed being aggrieved by non inclusion of his Fair Price Shop in ERCMS (Now RCMS) database as a New Fair Price Shop from the date of obtaining his FPS license till date. The representation preferred by the petitioner remain unattended. Accordingly, the present writ petition is filed.
4. In view of the contention, this Court asked complete

instruction from the respondents.

5. Mr. K Gogoi, learned counsel for the respondents based on a written instruction submits that for want of fresh proposal from the District Authorities, Cachar for replacement of petitioner's Fair Price Shop against any existing vacancies that arises due to surrender/cancellation/death of existing Fair Price Shop dealer in the database, same could not be done.

6. It is further submitted that if a fresh proposal is received, the same will be allowed immediately subject to fulfillment of existing rules and norms.

7. In view of the aforesaid stand, the learned counsel for the petitioner submits that the present writ petition can be disposed of directing the District Authorities to send a fresh proposal.

8. Mr. K Gogoi, learned counsel for the respondents has no objection to such proposition.

9. Accordingly, based on the consensus arrived at, this writ petition is disposed of directing the respondent No.4 to submit a fresh proposal as anticipated by the Commissionerate, within a period of four weeks from the date of receipt of a certified copy of this order passed today, to be furnished by the petitioner before it.

10. It is needless to say that the petitioner shall furnish necessary documents for sending of such proposal and thereafter the Commissionerate of Food, Public Distribution, Consumer Affairs and Legal Meteorology, Assam shall consider the application so forwarded by the District Authority and do the needful for incorporation in the database within a period of four weeks therefrom.

11. With the aforesaid, the writ petition stands disposed of.
12. The instruction so furnished by Mr. Gogoi, learned counsel for the respondent Nos.1 to 6 is kept on record.

JUDGE

Comparing Assistant