

GAHC010012242025



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

Case No. : WP(C)/337/2025

MAHABAL CEMENT PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 2013, HAVING
ITS REGISTERED OFFICE AT 7 COUNCIL STREET 2ND FLOOR, KOLKATA,
WEST BENGAL - 700001, REPRESENTED THROUGH ITS AUTHORISED
SIGNATORY, SRI. MUKESH 50 GURJAR, AGED ABOUT 40, SON OF SRI.
RAMJI LAL GURJAR,
RESIDENT OF MAKSUDAN PURA, DIST. SAWAI, MADHOU PUR,
RAJASTHAN, PIN-322033

VERSUS

THE STATE OF ASSAM AND 10 ORS
REP BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM,
HOME AND POLITICAL DEPT., ASSAM SECRETARIAT, I-BLOCK, 2ND
FLOOR, DISPUR, GUWAHATI-781006

2:DIRECTORATE GENERAL OF POLICE

ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:DIMA HASAO AUTONOMOUS COUNCIL

REPRESENTED BY ITS PRINCIPAL SECRETARY (N)
HAFLONG
DIMA HASAO
DISTRICT
ASSAM-788819.

4:THE SECRETARY REVENUE

I/C SETTLEMENT AND REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM- 788819

5:THE ADDITIONAL SECRETARY

REVENUE DEPARTMENT
DIMA HASAO AUTONOMOUS COUNCIL
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

6:THE REVENUE OFFICER

DIMAHASAO AUTONOMOUS COUNCIL

HAFLONG
DIMA HASAO DISTRICT
ASSAM-788819

7:SUPERINTENDENT OF POLICE

HAFLONG
DIMA HASAO DISTRICT
ASSAM
-788819

8:THE OFFICER-IN-CHARGE

UMRANGSO POLICE STATION

DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931

9:SRI SONESH HOJAI
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

10:SRI SAMARJIT NUNIA

THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931.

11:SRI SABJAYNON JIDUNG
THROUGH THE OFFICER-IN-CHARGE
UMRANGSO POLICE STATION
DIMA HASAO
HAFLONG
DIMA HASAO DISTRICT
ASSAM-788931

Advocate for the Petitioner : G. GOSWAMI, MS P SAIKIA,MS M KAKOTY,R SARMAH

Advocate for the Respondent : GA, ASSAM, SC, DIMA HASAO

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 27.01.2025

Heard Mr. P.K. Goswami, learned Senior Counsel assisted by Mr. G. Goswami, learned counsel for the petitioner; Ms. S. Konwar, learned Junior Government Advocate, Assam for the respondent nos. 1, 2, 7 & 8; and Mr. C. Sharma, learned Standing counsel, NC Hills Autonomous Council for the respondent nos. 3, 4, 5 & 6.

2. Raising a nos. of grievances, the petitioner has approached this Court by the instant writ petition. One of the grievances is that despite lodging of an E-complaint on 27.12.2024 under the provisions of Section 173, Bharatiya Nagarik Suraksha Sanhita reporting about commission of a cognizable offence, the said E-complaint has not yet been registered by the respondent authorities, more particularly, the respondent no. 8. It has been averred that the E-complaint has

been filed in the Assam Police Online Citizen Service.

3. It has been pointed out that the respondent no. 5 vide a Communication dated 05.11.2024 [Annexure-7 to the writ petition] and a Communication dated 09.12.2024 [Annexure-11 to the writ petition] had earlier written to the respondent no. 7 mentioning the names of the persons who have been creating disturbances in the operation of the cement project work of the petitioner company.

4. Ms. Konwar shall obtain instruction as to why the E-complaint, if it reports of commission of a cognizable offence, has not yet been registered as a First Information Report.

5. Ms. Goswami, learned counsel for the petitioner shall furnish a copy of the writ petition to Ms. Konwar during the course of the day for enabling Ms. Konwar to obtain the necessary instructions.

6. List the case on 29.01.2025.

JUDGE

Comparing Assistant