

GAHC010013752026



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

Case No. : WP(C)/1038/2026

MS MAKALI ENTERPRISE AND ANR
REPRESENTED BY ITS PROPRIETOR, SMTI. SOMA PAUL, AGED ABOUT 50
YEARS, W/O- SHRI ANJAN KUMAR PAUL, VILL- ALGAPUR PART I, P.O-
KALIBARI BAZAAR, P. S.- ALGAPUR, DISTRICT- HAILAKANDI, ASSAM,
PIN- 788150

2: SOMA PAUL
W/O- SHRI ANJAN KUMAR PAUL
R/O VILL- ALGAPUR PART I
P.O. KALIBARI BAZAR
P.S. ALGAPUR
HAILAKANDI
ASSAM. PIN- 78815

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DIRECTOR GENERAL OF POLICE
ULUBARI
GUWAHATI-7

3:THE DISTRICT COMMISSIONER
HAILAKANDI
ASSAM
PIN- 788151

4:THE SUPERINTENDENT OF POLICE
HAILAKANDI
ASSAM
PIN- 788151

5:THE OFFICER IN CHARGE

ALGAPUR POLICE STATION
P.O. -ALGAPUR
DIST- HAILAKANDI
ASSA

Advocate for the Petitioner : MR. N H BARBHUIYA, MS. N.A. LASKAR,MS. S. DEY

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

25.02.2026

Heard Shri N.H. Barbhuiya, learned counsel for the petitioners.

The instant writ petition has been filed praying for compensation for loss caused to the petitioners' business allegedly by the illegal activities of the respondents.

Shri J. Handique, learned State Counsel, Assam has raised serious objection on the maintainability of the writ petition.

A bare perusal of the averments read with the reliefs prayed for would show that the petition has been filed for compensation wherein there would be a requirement for appreciation of the facts for which, evidence are to be adduced. A Writ Court would not be the appropriate forum for adjudication of a dispute of the present nature.

At this stage, Shri Barbhuiya, learned counsel for the petitioners prays for withdrawal of this writ petition with a liberty to approach the appropriate forum.

The writ petition accordingly stands dismissed on withdrawal with liberty, as prayed for.

JUDGE

Comparing Assistant