

GAHC010020152026



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

Case No. : WP(C)/550/2026

ABDUL SHAHID
SON OF LATE ALTAB ALI, R/O.- VILLAGE NO 2, DEVEN GAON, P.O.
NAKHUTI BAZAR, P.S. LUMDING, DIST. HOJAI, ASSAM, PIN- 782446.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, COOPERATION DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE REGISTRAR OF COOPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI-781022.

3:THE ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES
HOJAI
DIST. HOJAI
ASSAM
PIN- 782435.

4:THE SECRETARY
NAKHUTI SAMABAI SAMITTEE LIMITED
P.O. NAKHUTI BAZAR
P.S. LUMDING
DIST. HOJAI
ASSAM
PIN- 782446.

5:SAYED HUSSAIN BORBHUYAN
SON OF LT MOIN UDDIN BORBHUYAN
R/O NO. 1 MAUZADAR GAON

P.O. NAKHUTI BAZAR
PS. LUMDING
DIST. HOJAI
ASSAM
PIN- 782446

Advocate for the Petitioner : MR. M K CHOUDHURY, MS. JASMIN SULTANA
TALUKDAR,MR J ABEDIN,MR. K I MAZUMDER

Advocate for the Respondent : SC, CO OP, MR. A K AZAD(R5),MR K UDDIN(R5),MR. P K
ROYCHOUDHURY(R5),FOR CAVEATOR,MR. A K AZAD(R5)

Linked Case : I.A.(Civil)/708/2026

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Advocate for : MR K UDDIN
Advocate for : SC
CO OP appearing for ABDUL SHAHID

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

09.03.2026

Heard Shri J. Abedin, learned counsel for the petitioner. Also heard Shri SK Talukdar, learned Standing Counsel, Cooperation Department.

Shri PK Roychoudhury, learned counsel is present for the respondent no. 5, who has also filed an IA(C)/708/2026 for modification / alteration / vacation of the interim order.

Shri DA Kaiyum, learned counsel is present for the respondent no. 4 – Secretary of the Cooperative Societies.

There is a general consensus in the Bar that the dispute involved would be with regard to a interpretation of Clause 10 of the bylaws, more specifically,

whether Clause 10.6 or 10.9 would be applicable in the facts and circumstances of the case.

That being the position, Shri Abedin, learned counsel for the petitioner has submitted that there may not be a requirement to file objection to the I.A. and the whole writ petition can be taken up for consideration.

The aforesaid proposition is not opposed by the learned Departmental Counsel as well as Shri Kaiyum, who has stated that it is the consumers and the general people who are suffering because of the order of *status quo*.

Considering the above, list this case for admission hearing on 17.03.2026.

Interim order passed earlier to continue till the next date of listing.

JUDGE

Comparing Assistant