

GAHC010023922026



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

Case No. : WP(C)/1072/2026

SHRI ASHOK KUMAR SARMA AND ANR
S/O LAKHI KANTA SARMA, R/O- BARKURA, BARAMA ROAD, WARD NO- 8,
NALBARI TOWN, DIST- NALBARI, PIN-781341.

2: SHRI NAGEN DEKA
S/O LATE TARINI DEKA
RESIDENT OF VILLAGE-DIGHELI
P.O. -BARDIGHELI
DIST- NALBARI
ASSA

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM, DISPUR, GUWAHATI- 6.

2:THE DISTRICT COMMISSIONER
NALBARI
ASSAM.

3:THE PRESIDENT
SRI SRI HARI MANDIR COMMITTEE
NALBARI
P.O. AND DISTRICT - NALBARI
ASSAM
PIN-781335.

4:THE SECRETARY
SRI SRI HARI MANDIR COMMITTEE
NALBARI
P.O. AND DISTRICT - NALBARI
ASSAM
PIN-781335

Advocate for the Petitioner : MR. J I BORBHUIYA, MS. P DAS,A B T HAQUE,MS F

BEGUM,MR A HOSSAIN

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

27.02.2026

Heard Shri JI Borbhuiya, learned counsel for the petitioners. Also heard Shri N. Das, learned State Counsel.

The grievance raised by the petitioners pertains to their removal from the life membership of Sri Sri Hari Mandir, Nalbari. For ready reference, the relief prayed for is extracted hereinbelow:

“In the premises aforesaid it is therefore, prayed that Your Lordships may be pleased to admit this petition, call for the records and issue Rule calling upon the respondents to show cause as to why-

I. a writ in the nature of Certiorari should not be issued directing the respondents to cancel the resolution dated 20.07.2025 whereby cancelled the life member of the petitioner of Sri Sri Hari Mandir, Nalbari, AND/OR;

II. a writ in the nature of Mandamus should not be issued directing the respondents to continue the life member of the petitioners of Sri Sri Hari Mandir, Nalbari, AND/OR;

III. a writ in the nature of Mandamus should not be issued directing the respondents to allow the petitioners as life members of Sri Sri Hari Mandir Committee, AND/OR;

IV. as to why any other writ, direction or order should not be issued so as to give full relief to the petitioners AND upon cause or causes being

shown and upon hearing the parties and on perusal of records Your Lordship may be pleased to make the rule absolute. Further Your Lordships may be pleased to pass such other order or orders as this Hon'ble Court may deem fit and proper and in accordance with law.

AND

In the interim, during the pendency of the writ petition to stay/cancel the resolution dated 20.07.2025 whereby cancelled the life members of the petitioner of Sri Sri Hari Mandir, nalbari and/or continue and allow the petitioners as life members of the Sri Sri Hari Mandir Committee, Nalbari and/or pass such further appropriate order/orders or direction as Your Lordships may deem fit and proper in the facts and circumstances of the case for the ends of justice and equity."

Shri Barbhuiya, learned counsel for the petitioners has submitted that the District Commissioner, Nalbari also has a role in the impugned action.

Shri Das, learned State Counsel has however submitted that the dispute is out and out a private dispute for which the Civil Court can be approached.

This Court is of the opinion that the dispute sought to be raised is purely of civil nature and mere presence of the District Commissioner, Nalbari in the decision making process, as alleged will not be a bar for the petitioners to approach the appropriate Civil Court for redressal of their grievances.

In view of the above, the writ petition is dismissed. However, liberty is granted to the petitioners to approach appropriate Civil Court of competent jurisdiction.

JUDGE

Comparing Assistant