

GAHC010028352026



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

Case No. : WP(C)/802/2026

TAPAN CHANDRA DAS AND 4 ORS
S/O-GANESH DAS. AGE- 44 YEARS VIII- NIZ HASSANG NO. 1, DIST-
KAMRUP (RURAL), ASSAM

2: SAHIDUL ISLAM
S/O-SIRAJ ALI. VILI-TITKUR NO. 1
DIST-KAMRUP RURAL
ASSAM

3: AMAR CHANDRA SWARGIARY
S/O- RATAN CHANDRA SWARGIARY. VILL- TITKURI NO.3
DIST-KAMRUP RURAL
ASSAM

4: SUSHILA DEVI
W/O-TARUN SARMA. VILL- TITAKURI NO.3
DIST-KAMRUP RURAL
ASSAM

5: DIPANJALI DEKA
W/O- PINAK CH DEK. VILL- TITKURI NO. 2
DIST-KAMRUP RURAL
ASSA

VERSUS

THE STATE OF ASSAM AND 8 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, PANCHAYAT AND RURAL DEPARTMENT
DEPARTMENT , DISPUR, GUWAHATI-06

2:THE DISTRICT COMMISSIONER
KAMRUP RURAL
AMINGAON

ASSAM.

3:THE CO DISTRICT COMMISSIONER
RANGIA
KAMRUP RURAL
ASSAM.

4:THE CIRCLE OFFICER
RANGIA CIRCLE
RANGIA
KAMRUP RURAL
ASSAM.

5:NRIPEN CHANDRA DAS
S/O- LATE NAGEN DAS. VILL- HACHANG NO.2 P.O- MADHUKUCHI. DIST-
KAMRUP(R)
ASSAM PIN-781354.

6:RANU BARO
W/O- RATIRAM BARO. VILL- HACHANG NO.2 P.O- MADHUKUCHI. DIST-
KAMRUP (R)
ASSAM PIN-781354.

7:RESHMA DEKA
W/O-BHABESH DEKA. VILL- HACHANG NO.1 P.O- MADHUKUCHI. DIST-
KAMRUP (R)
ASSAM PIN-781354

8:HASINA BEGUM
W/O- KHAIRUL DEWAN. VILL- TITKURI NO.1 P.O-TITKURI. DIST- KAMRUP
(R)
ASSAM PIN-781354.

9:MANU SWARGIARY
C/O- KISHAK SWARGIARY. AGE- 33 YEARS VILL-TITKURI NO.2
P.O-TITKURI. DIST- KAMRUP(R) ASSAM. PIN-78135

For the Petitioner(s) : Mr. A.R. Bhuyan, Advocate

For the Respondent(s) : Mr. S.S. Roy, Govt. Advocate
Mr. S. Dutta, Standing Counsel

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 13.02.2026

Issue notice making it returnable on 13.03.2026.

2. Mr. S. Dutta, the learned Standing Counsel appears on behalf of the respondent No. 1 and Mr. S.S. Roy, the learned Government Advocate appears on behalf of the respondent Nos. 2, 3 and 4 and accepts notice.

3. Extra copies of the writ petition be served upon the respective counsels by 16.02.2026.

4. As regards the respondent Nos. 5 to 9, the petitioners are directed to take steps by way of Speed Post by 16.02.2026.

5. In addition to that, the petitioners are also granted the liberty to take steps upon the respondent Nos. 5 to 9 by way of Dasti routed through the Registry of this Court and file an affidavit of service on or before the next date.

6. The petitioners shall ensure that the services upon the private respondents are affected by way of Dasti on or before 27.02.2026.

7. The case of the petitioners herein is that as per Rule 46(8) of the Assam Panchayat (Constitution) Rules, 1995, the election of the President and the Vice-President of the Gaon Panchayat

is required to be held in the first meeting convened after the constitution of the new Gaon Panchayat under the supervision of a duly authorized officer. It is the case of the petitioners that the said procedure was not followed and it is under such circumstances, the petitioners had approached this Court by filing a writ petition which was registered and numbered as WP(C) No. 5806/2025.

8. The learned Coordinate Bench of this Court vide the order dated 26.09.2025 directed the District Commissioner, Kamrup to decide the matter by taking into account Section 11 of the Assam Panchayat Act, 1994, within a period of 6 (six) weeks from the date of receipt of the certified copy of the order by disposing of the representation submitted by the petitioner on 08.07.2025.

9. It appears that the respondent No. 2 passed a Speaking Order on 05.11.2025 holding inter alia that the private respondent Nos. 5 and 9 were duly elected as President and Vice-President respectively of the Haradutta Gaon Panchayat. The petitioners have assailed the said order on the ground that no first meeting was held on 09.07.2025, as mentioned in the impugned order dated 05.11.2025.

10. Taking into account the above, the respondents herein are

directed to bring on record their stand by filing the affidavits, as to whether, the first meeting was held on 09.07.2025 at 10.00 AM at the Irrigation IB, Chepti, Rangia.

11. This Court further directs the respondents to produce, on the next date, the Minutes of the Meeting of the said Gaon Panchayat to establish whether any meeting was held on 09.07.2025.

12. List accordingly.

JUDGE

Comparing Assistant