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

Case No. : Cont.Cas(C)/140/2026

RAJENDRA DAS
MAHANT OF SRI SITARAM THAKURIBARI, SRCB ROAD, FANCY BAZAR,
GUWAHATI- 781001, ASSAM.

VERSUS

SWAPNEEL PAUL, IAS AND 11 ORS.
DISTRICT COMMISSIONER, KAMRUP (M), DIST.- LICHUBAGAN,
HENGRABARI, GUWAHATI, PIN- 781036, ASSAM.

2:BIKRAM CHETRI
ACS
ADDITIONAL DISTRICT COMMISSIONER
O/O THE DISTRICT COMMISSIONER
KAMRUP (M) DISTRICT
HENGGERABARI
LICHUBAGAN
HENGRABRI
GUWAHATI
ASSAM
PIN-781036

3:RAJA BAISHYA
ACS
CIRCLE OFFICER
GUWAHATI REVENUE CIRCLE
O/O THE CIRCLE OFFICER
GUWAHATI REVENUE CIRCLE
ULUBARI
GUWAHATI
ASSAM

4:DR. K.P GUPTA
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

5:ASHOK GARODIA
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

6:LAL DAS TYAGI
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

7:HARSH AJITSARIA
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

8:MUNI BABA
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

9:JAI PRAKASH GOENKA
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

10:RAM JIVAN PANDEY
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

11:NEWAL MORE
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-781001

12:SRAWAN KUMAR SANGANERIA
C/O SURAJMAL JAHARMAL
SANGANERIA TRUST (MRAKET)
NO. 3 RAILWAY GATE
SRCB ROAD
FANCY BAZAR
GUWAHATI-78100

For the Petitioner(s) : Mr. D. J. Das, Advocate

For the Respondent(s) : XXXX

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

30.03.2026

Heard Mr. D. J. Das, the learned counsel appearing on behalf of the petitioner.

2. This is an application filed under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of

India alleging willful and deliberate violation to the judgment and order dated 25.02.2025 passed in WP(C) No.5616/2018.

3. It is relevant to take note of that WP(C) No.5616/2018 was filed challenging the actions on the part of the District Administration in issuing an order dated 24.07.2018 as well as another order dated 16.08.2018 by the Additional Deputy Commissioner-cum-Additional District Magistrate, Kamrup (Metro). These two orders have been set aside by the learned Coordinate Bench of this Court vide the impugned judgment and order dated 25.02.2025. The reason why the orders dated 24.07.2018 and 16.08.2018 have been set aside by this Court is on the finding that the District Administration had no authority and/or jurisdiction to pass such orders taking into account that the affairs of Sri Sitaram Thakurbari are purely internal affairs of the said religious denomination and the District Administration therefore had no authority or jurisdiction to pass the impugned orders dated 24.07.2018 and 16.08.2018. Paragraph No.37 of the said judgment being relevant is reproduced herein under:-

“37. In view of the discussion made herein above, I am of the view that the Deputy Commissioner cum District Magistrate, Kamrup (M) District, Guwahati has no authority to interfere with the affairs of the Sri Sitaram Thakurbari, as the Sri Sitaram Thakurbari is a religious denomination which has the right to manage their own affairs,

except in the area of law and order situation, which does not reflect and not discernable in the impugned order dated 24.07.2018, passed by the Deputy Commissioner cum District Magistrate, Kamrup (M) District, Guwahati and the subsequent order 16.08.2018, passed by the Addl. Deputy Commissioner cum Addl. District Magistrate, Kamrup (M) District, Guwahati. Thus, the impugned order dated 24.07.2018, passed by the Deputy Commissioner cum District Magistrate, Kamrup (M) District, Guwahati and the subsequent order 16.08.2018, passed by the Addl. Deputy Commissioner cum Addl. District Magistrate, Kamrup (M) District, Guwahati are not sustainable and accordingly, same are set aside and quashed."

4. In the backdrop of the above, if this Court duly takes note of the contempt application as well as the additional affidavit which have been filed, it is the grievance of the petitioner that though the orders dated 24.07.2018 and 16.08.2018 have been set aside by this Court, but the Committee so formed in terms with the order dated 16.08.2018 still continues to function, and as such, it is a willful and deliberate violation to the judgment and order dated 25.02.2025.

5. It is the opinion of this Court that upon setting aside the orders dated 24.07.2018 and 16.08.2018 by this Court vide the judgment and order dated 25.02.2025, the said orders cease to exist.

6. Under such circumstances, if any person continues to exercise such powers subsequent thereto, it is not only a separate cause of action, but it relates to the internal affairs of Sri Sitaram Thakurbari which can only be agitated by filing a proceedings before the Competent Court of Civil Jurisdiction and not by way of filing a contempt application.

7. Under such circumstances, this Court does not find any merit in the instant contempt application for issuance of notice for which the instant application stands rejected.

8. Before parting with the record, this Court however observes that the rejection of the instant application shall not preclude or prejudice the petitioner to approach the Competent Court of Civil Jurisdiction, if so advised.

JUDGE

Comparing Assistant