

GAHC010039792026



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

**Case No. : PIL/14/2026**

DR. HIRENDRANATH GOHAIN AND 2 ORS  
S/O LATE MAHENDRANATH GOHAIN, R/O HOUSE NO. 251, NIZARAPAR  
ROAD, SILPUKHURI, GUWAHATI, DIST.- KAMRUP (M), ASSAM- 781003

2: HAREKRISHNA DEKA  
S/O LATE NARENDRANATH DEKA  
R/O HOUSE NO. 100  
KASTURBA NAGAR  
SOUTH SARANIA  
GUWAHATI  
DIST- KAMRUP (M)  
ASSAM-781007

3: PARESH CHANDRA MALAKAR  
S/O LATE BISHNU RAM MALAKAR  
R/O F-3 MAYAANAND APARTMENT  
BELTOLA BASISTHA ROAD  
GUWAHATI  
DIST- KAMRUP (M)  
ASSAM- 78102

VERSUS

THE UNION OF INDIA AND 3 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF INDIA,  
MINISTRY OF HOME AFFAIRS, NORTH BLOCK, NEW DELHI, PIN- 110001

2:THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
HOME DEPARTMENT  
GOVERNMENT OF ASSAM  
ASSAM SECRETARIAT  
DISPUR

GUWAHATI  
ASSAM  
PIN-781006

3:DR. HIMANTA BISWA SARMA  
S/O LATE KAILASH NATH SARMA  
CM BLOCK  
JANATA BHAWAN  
DISPUR  
GUWAHATI  
ASSAM  
PIN-781006

4:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ASSAM POLICE HEADQUARTERS  
ULUBARI  
GUWAHATI  
ASSAM  
PIN-78100

**Advocate for the Petitioner** : MR. D GOGOI, MR SAURADEEP DEY

**Advocate for the Respondent** : DY.S.G.I., MS. PADMINI BARUA(R3),MS. RUKMINI  
BARUA(R3),MR. D K AGARWALA

Linked Case : PIL/16/2026

COMMUNIST PARTY OF INDIA (MARXIST)  
ASSAM STATE  
THROUGH ITS AUTHORISED SIGNATORY  
MR. SURPRAKASH TALUKDAR  
AGED ABOUT 61 YEARS  
SON OF NANDESWAR TALUKDAR  
RESIDENT OF HOUSE NO.38  
M A ROAD  
REHABARI  
GUWAHATI  
PIN 781008 IN THE DISTRICT OF KAMRUP (M)  
ASSAM

VERSUS

THE UNION OF INDIA AND 3 ORS.  
MINISTRY OF HOME AFFAIRS THROUGH SECRETARY  
NORTH BLOCK  
NEW DELHI-110001

2:THE STATE OF ASSAM  
THROUGH ITS CHIEF SECRETARY  
ASSAM SECRETARIAT  
NEW CM BLOCK  
THIRD FLOOR  
JANATA BHAWAN  
DISPUR  
GUWAHATI  
ASSAM- 781006

3:BHARATIYA JANATA PARTY  
THROUGH STATE PRESIDENT  
BJP ASSAM PRADESH  
ATAL BIHARI VAJPAYEE BHAWAN  
BJP STATE OFFICE  
BASISTHA CHARIALI  
GUWAHATI  
ASSAM-781029

4:DR. HIMANTA BISWA SARMA  
CHIEF MINISTER  
ASSAM  
CM BLOCK  
JANATA BHAWAN  
DISPUR  
GUWAHATI  
ASSAM- 781 006.

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Advocate for : N GAUTAM  
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 3 ORS.

Linked Case : PIL/15/2026

COMMUNIST PARTY OF INDIA  
ASSAM STATE COUNCIL  
THROUGH ITS AUTHORISED SIGNATORY  
MR. KANAK GOGOI  
AGED ABOUT 49 YEARS  
SON OF TUPIDHAR GOGOI  
RESIDENT OF ABHAYPURIA ROAD

NEAR ABHAYPURIA NAMGHAR  
ABHAYPURIA GAON  
P.O- NAZIRA  
NAZIRA  
PIN- 785685 IN THE DISTRICT OF SIBSAGAR  
ASSAM

VERSUS

THE UNION OF INDIA AND 2 ORS.  
MINISTRY OF HOME AFFAIRS THROUGH SECRETARY  
NORTH BLOCK  
NEW DELHI-110001

2:THE STATE OF ASSAM  
THROUGH ITS CHIEF SECRETARY  
ASSAM SECRETARIAT  
NEW CM BLOCK  
THIRD FLOOR  
JANATA BHAWAN  
DISPUR  
GUWAHATI  
ASSAM- 781 006.

3:DR. HIMANTA BISWA SARMA  
CHIEF MINISTER  
ASSAM CM BLOCK  
JANATA BHAWAN  
DISPUR  
GUWAHATI  
ASSAM 781 006

For the petitioners : Mr. Chander Uday Singh,  
Sr. Advocate  
(through video conferencing)  
Mr. S. Dey, Advocate in  
PIL 14/2026

Ms. Meenakshi Arora, Sr. Advocate  
(through video conferencing) in  
PIL 15/2026

Dr. Abhishek Singhvi,  
Sr. Advocate  
(through video conferencing)  
Mr. N. Gautam, Advocate in  
PIL 16/2026

For the respondents : Mr. R.K.D. Choudhury,  
Sr. Advocate/D.S.G.I. assisted by  
Ms. L. Devi, Advocate for  
Respondent No.1

Mr. D. Saikia,  
Advocate General, Assam  
Mr. K. Gogoi, Advocate,  
For respondent Nos.2 and 4

Ms. P. Barua, Advocate for  
Respondent No.3

– B E F O R E –

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR**  
**HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

**27-05-2026**

***(Ashutosh Kumar, C.J.)***

The reply affidavit on behalf of the respondents has been filed today in Court.

The learned Advocates appearing for the petitioners seek some time to rejoin.

Let all the matters come up for consideration under the appropriate

heading on **06.08.2026.**

In the meantime, an effort shall be made to provide the full transcript of the speeches, which have been quoted in the petition, for the convenience of the Court.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**