

GAHC010041222026



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

Case No. : 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

1.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

Linked Case : I.A.(Civil)/654/2026

COMMUNIST PARTY OF INDIA (MARXIST), ASSAM STATE
THROUGH ITS AUTHORISED SIGNATORY MR. SURPRAKASH TALUKDAR
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CM BLOCK JANATA BHAWAN DISPUR
GUWAHATI ASSAM- 781 006.

For the Petitioner(s) : Mr. A.M. Singhvi, Senior Advocate (through Video Conferencing)
: Mr. S.S. Gogoi, Advocate.
: Mr. N. Gautam, Advocate.

For the Respondent(s) : Mr. R.K.D. Choudhury, Deputy Solicitor General of India for respondent No.1.
: Ms. R.B. Bora, Junior Government Advocate, Assam for respondent No.2.

- B E F O R E -

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

26.02.2026

(Ashutosh Kumar, CJ)

We have heard Mr. A.M. Singhvi, learned Senior Advocate for the petitioner.

Issue notice on the PIL petition as also on the *interim* prayer made by the petitioner.

Notice to respondent No.1 is accepted by Mr. R.K.D. Choudhury, learned Deputy Solicitor of India. Ms. R.B. Bora, learned Junior Government Advocate, Assam accepts notice on behalf of respondent No.2.

Notice shall be issued to respondent No.4, on steps being taken by the petitioner within a period of 3(three) weeks from today by both modes, i.e. by speed post as well as by usual process, returnable on **21.04.2026.**

JUDGE

CHIEF JUSTICE

Comparing Assistant