

GAHC010044092026



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

Case No. : WP(C)/1737/2026

SRI NITYANANDA KAMAN
SON OF LATE BHUBAN CHANDRA KAMAN, R/O- VILL- BILMUKH, P.O.-
BILMUKH, P.S. GHILAMARA,, DIST.- LAKHIMPUR, ASSAM, PIN- 787053

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, ANIMAL HUSBANDRY AND VETERINARY DEPARTMENT,
DISPUR, GUWAHATI-6

2:THE DIRECTOR OF ANIMAL HUSBANDRY AND VETERINARY
DEPARTMENT
CHENIKUTHI
GUWAHATI-3

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI

GUWAHATI-

Advocate for the Petitioner : MR. J C GOGOI, MR B ISLAM
Advocate for the Respondent : SC, A.H and V. DEPT., GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

27.07.2026

Heard Shri B. Islam, learned counsel for the petitioner. Also heard Shri JK

Goswami, learned Standing Counsel, Animal Husbandry and Veterinary Department.

Shri Goswami, learned Standing Counsel has however submitted that while the petitioner has enclosed a Registration Certificate for the purpose of trade of cattle, there is a requirement for Fitness Certificate for individual cattle and there are no materials that such fitness certificate was applied for and refused. He accordingly submits that there may not be any cause of action to be adjudicated.

In response, Shri Islam, learned counsel for the petitioner has drawn the attention of this Court to a representation dated 23.02.2026 where there is an indication that no such certificate is wished to be issued by the District Veterinary Officer. However, there are no other materials on record to show that there has been a refusal for grant of such Fitness Certificate.

While the Department is directed to file an affidavit in this case, it is provided that the petitioner may submit individual application praying for fitness certificate to the concerned Veterinary Officer and if done, the same is directed to be considered and disposed of in accordingly with law.

Let this matter be listed on 17.08.2026, by which time, both the learned counsel will provide up-to-date instructions.

JUDGE

Comparing Assistant