

GAHC010051612018



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

**Case No. : WP(C) 1598/2018**

1:AKRAM HUSSAIN MAZARBHUIYA  
S/O. LT. ABU BAKKAR MAZARBHUIYA, R/O. VILL. AND P.O.  
BARHAILAKANDI PART-III, DIST. HAILAKANDI (ASSAM).

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,  
GUWAHATI-6.

2:THE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT.  
PANJABARI  
JURIPAR  
GUWAHATI-37

3:THE CHIEF EXECUTIVE OFFICER  
CACHAR ZILLA PARISHAD  
CACHAR  
P.O. AND DIST. CACHAR  
ASSAM  
PIN-788001

4:THE CHIEF EXECUTIVE OFFICER  
HAILAKANDI ZILLA PARISHAD  
HAILAKANDI  
P.O. AND DIST.- HAILAKANDI  
ASSAM  
PIN-78815

**Advocate for the Petitioner : MR. U K NAIR**

**Advocate for the Respondent : GA, ASSAM**

Linked Case : WP(C) 1566/2018

1:SHAH ALOM MAZUMDER  
VILL - APIN PART-I  
P.O. RONGPUR  
DIST-HAILAKANDI (ASSAM)

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT  
DISPUR  
GUWAHATI-6

2:THE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT  
PANJABARI  
JURIPAR  
GUWAHATI-37

3:THE CHIEF EXECUTIVE OFFICER  
CACHAR ZILLA PARISHAD  
CACHAR  
P.O. AND DIST- CACHAR  
ASSAM  
PIN 788001

4:THE CHIEF EXECUTIVE OFFICER  
HAILAKANDI ZILLA PARISHAD  
HAILAKANDI  
P.O. AND DIST- HAILAKANDI  
ASSAM  
PIN -788151

Advocate for the Petitioner : MR. U K NAIR  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 1582/2018

1:SANJIT KUMAR DAS  
S/O- LATE SANIT KUMAR DAS  
R/O- VILL RANGBAK PART-II  
P.O- KATLICHERRA  
DIST- HAILAKANDI  
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM  
PANCHAYAT AND RURAL DEV DEPTT  
DISPUR  
GHY- 6

2:THE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT DEPTT  
PANJABARI  
JURIPAR  
GHY- 37

3:THE CHIEF EXECUTIVE OFFICER  
CACHAR ZILLA PARISHAD  
CACHAR  
P.O AND DIST- CACHAR  
ASSAM  
PIN- 788001

4:THE CHIEF EXECUTIVE OFFICER  
HAILAKANDI ZILLA PARISHAD  
HAILAKANDI  
P.O AND DIST- HAILAKANDI  
ASSAM  
PIN- 788151

Advocate for the Petitioner : MR. A H M R CHOUDHURY  
Advocate for the Respondent : GA  
ASSAM

Linked Case : WP(C) 1638/2018

1:ROFIQUL HAQUE MAZUMDER  
S/O LATE ABDUL HAQUE MAZUMDER

R/O VILL NITYANANDAPUR PART-I  
PO-KUCHILA BAZAR  
DIST. HAILAKANDI (ASSAM)

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT  
DISPUR  
GUWAHATI-6

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PANJABARI  
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GUWAHATI-37

3:THE CHIEF EXECUTIVE OFFICER  
CACHAR ZILLA PARISHAD  
CACHAR  
PO AND DIST. CACHAR  
ASSAM  
PIN-788001

4:THE CHIEF EXECUTIVE OFFICER  
HAILAKANDI ZILLA PARISHAD  
HAILAKANDI  
PO AND DIST. HAILAKANDI

Advocate for the Petitioner : MR. A H M R CHOUDHURY  
Advocate for the Respondent : GA  
ASSAM

**BEFORE**

**HON'BLE MR.JUSTICE NELSON SAILO**

**ORDER**

**04-09-2018**

The parties are represented by their respective counsel.

The respondent No.2 has filed their affidavit-in-opposition on 17.02.2018 and Mr. AHMR Choudhury, the learned counsel for the petitioners submits that he would like to file re-joinder affidavit for which he prays for 2 (two) weeks time.

By referring to Paragraph-9 of the counter affidavit, Mr. Choudhury, the learned counsel for the petitioners submits that the petitioners' salary as Tax Collectors may be released since the budgetary provision has already been made. He further submits that the salary they are entitled as Gaon Panchayat Secretaries may be decided by this Court after the filing of the rejoinder affidavit by the petitioners.

In view of above, 2 (two) weeks time is granted for filling re-joinder affidavit.

In the meantime, it is hereby provided that the respondents authority shall release the salary of the petitioners immediately as entitled to them as Tax Collectors, if not already done.

List the matter after 2 (two) weeks.

**JUDGE**

**Comparing Assistant**