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

Case No. : I.A.(Civil)/3705/2025

SRI BIKASH CHOUDHURY
S/O- DHARANI DHAR CHOUDHURY, R/O- H.NO-82, BHETAPARA CHARIALI,
HARIDEV ROAD, P.O- BELTOLA, P.S- BASISHTHA, GUWAHATI-28, ASSAM

2: SAURAV DAS
S/O- LATE PRADIP DAS
R/O- VILLAGE- PUB SALMARA
P.O- PHULAGURI
P.S- RAHA
NAGAON
PIN-782103
ASSAM

3: HEMANTA SAIKIA
S/O-PURNESWAR SAIKIA
R/O- VILLAGE- KHAMJONGIA
P.O- KACHUKHAT
P.S- TITABAR
NAGAON
PIN-785633
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM,
DISPUR, GUWAHATI-06, KAMRUP METRO, ASSAM

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF AGRICULTURE
DISPUR
GUWAHATI-06
KAMRUP METRO

ASSAM

3:THE SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF AGRICULTURE
DISPUR
GUWAHATI-06
KAMRUP METRO
ASSAM

4:THE DIRECTOR
AGRICULTURE DEPARTMENT
KHANAPARA
GUWAHATI-22
KAMRUP METRO
ASSAM

5:THE ASSAM STATE AGRICULTURAL MARKETING BOARD
REP. BY ITS CHAIRMAN
OFFICE ADDRESS-
RAMKRISHNA MISSION
ULUBARI
GUWAHATI-07
DIST- KAMRUP(M)
ASSAM

6:THE CHIEF EXECUTIVE OFFICER
ASSAM AGRICULTURAL MARKETING BOARD
OFFICE ADDRESS-
RAMKRISHNA MISSION
ULUBARI
GUWAHATI-07
DIST- KAMRUP(M)
ASSA

Advocate for the Petitioner : MR. H BURAGOHAIN, M BURAGOHAIN,MS A DEVI,MS. H BORAH,MR. C AGARWAL,MS. S NATH

Advocate for the Respondent : GA, ASSAM, SC, AGRICULTURE MARKETING BOARD.,SC, AGRI. DEPARTMENT,MR. N J GOGOI

Linked Case : WP(C)/1851/2026

SONTOSH KUMAR DAS AND ANR
S/O- SRI KHOKA RAM DAS.
R/O- VILL.- BARBAKHARA
P.O.- FAGUNAGAON

DIST.- BONGAIGAON
ASSAM
PIN- 783390.

2: INDRAJIT SINGHA
S/O- SRI KARUNA KT. SINGHA.
R/O- VILL.- BHAKATGAON
P.O.- CHAPAR
DIST.- DHUBRI
ASSAM
PIN- 783371.

3: MONOJ KR. ROY.
S/O- POHARSING RAY.
R/O- VILL.- NO.3 JAMDOHA
P.O.- GERUKABARI
DIST.- BONGAIGAON
ASSAM
PIN- 783390.

4: SANKAR KINGKAR BORA
S/O SRI NAGENDRA NATH BORA
R/O- BVFCL
NAMRUP
QUARTER NO. 66/111/B
PO- PARBATPUR
DIST- DIBRUGARH
ASSAM
PIN- 786623

5: SALIM AHMED
S/O SULTAN AHMED
R/O- PALTAN BAZAR
JALAL NAGAR RAIL LINE
P.O- JALAL NAGAR
DIST- DIBRUGARH
ASSAM
PIN- 786005

6: RAJU SHARMA
S/O LATE MOTILAL SHARMA
R/O VILL- THAPABASTI DULIAJAN ANANDAPARA
PO- DULIAJAN
DIST- DIBRUGARH
ASSAM
PIN- 786602

7: RAJU SARMA
S/O SRI CHURAMANI SARMA
VILL- NO.1 SAIKIASUBURI
PO- ORANG
DIST- UDALGURI
ASSAM
PIN- 784114

8: KHIROD SANGMAI
S/O SRI RUKHESWAR SANGMAI
R/O- VILL- MARAN MAUT HELAGAON
PO- MORAN
DIST- CHARAIDEO
ASSAM
PIN- 785669

9: KAPIL YADAV
S/O SRI PROMOD YADAV
R/O VILL- PATHAN PATTY
PO- DIBRUGARH
DIST- DIBRUGARH
ASSAM
PIN- 786001

10: HIRANYA SONOWAL
S/O SRI SUDHESWAR SONOWAL
R/O CHAKIDING UDAYPUR
PO AND DIST- DIBRUGARH
ASSAM
PIN- 786001

11: ARPAN GOGOI
S/O SRI SUBHAS GOGOI
R/O VILL- NIZ LOHOWAL RAJAKHAT
PO- LAHOWAL
DIST- DIBRUGARH
ASSAM
PIN- 786010

12: ZAKIR HUSSAIN SARKAR
S/O ALAUDDIN SARKAR
R/O VILL- KALDOBA PT-I
PO- AGOMONI
DIST- DHUBRI

ASSAM
PIN- 783339

13: DILIP KR. RAY
S/O SRI HARKESWAR RAY
R/O VILL AND PO- BAGARGAON
DIST- CHIRANG
ASSAM
PIN- 783390

14: GOPAL CHANDRA BARMAN
S/O SRI TARINI BARMAN
R/O- VILL- SRIRAMPUR
PO- SRIRAMPUR
DIST- KOKRAJHAR
ASSAM
PIN- 783361

15: ANSULA BORO
S/O SRI BIREN BORO

R/O VILL- SILBARI MONAKOCHA
PO- SILBARI
DIST- CHIRANG
ASSAM
PIN- 783390

16: BIDYUT BHUIYAN
S/O LATE GANESH CH. BAISHYA

BARPATHAR TOWN
PO- BARPATHAR
DIST- GOLAGHAT
ASSAM
PIN- 785602

17: GHANA KANTA GOGOI
S/O SRI SORUKON GOGOI

R/O VILL- BATIPORIA
PO- BATIPORIA
DIST- GOLAGHAT
ASSAM
PIN- 785618

18: BITUL KR. DUTTA
S/O SRI DIMBESWAR DUTTA

R/O VILL- BAGHMARAPOTIA
PO- BAGHMARA
DIST- JORHAT
ASSAM
PIN- 785101

19: NIPUL BORA
S/O SRI MATHURAM BORA

R/O VILL- BIBIJAN CHAMAGURI
PO- TITABAR
DIST- JORHAT
ASSAM
PIN- 785630

20: BIJAY DAS
S/O SRI DRUPAD DAS

R/O VILL- WOKHA GORONGA TINIALI
PO- BARUAGAON
DIST- GOLAGHAT
ASSAM
PIN- 785603

21: NABANITA PATHAK
D/O LATE KANAK CH. PATHAK

R/O SURUJ NAGAR
PO- KHANAPARA
DIST- KAMRUP (METRO)
ASSAM
PIN- 781022

22: BIPUL DAS
S/O SRI BAPUTI DAS

R/O VILL- GARALDHA MIRZAPUR
PO- BHATTAPARA
DIST- KAMRUP (METRO)
ASSAM
PIN- 781017

23: PRANITA NATH
W/O SRI JAGADISH CH. NATH

R/O VILL- AZARA OJHAPARA
PO- AZARA

DIST- KAMRUP (METRO)
ASSAM
PIN- 781017

24: ATUL RAY
S/O SRI GAJIN CH. RAY

R/O VILL- JHAWBARI
PO- NOWAGAON
DIST- BONGAIGAON
ASSAM
PIN- 783392

25: ABU ELIUS
S/O NURUL ISLAM

R/O VILL- KACHERIPETI
PO- AMBARI
DIST- BONGAIGAON
ASSAM
PIN- 783384

26: JAGODISH ROY
S/O SRI PROMOTH NATH ROY

R/O VILL- MADHUSOULMARI
PO- KHUDIMARI
DIST- DHUBRI
ASSAM
PIN- 783331

27: KABIL UDDIN AHMED
S/O- ABDUL ALI

R/O VILL- KOKILA PT-I
PO- KOKILA
DIST- BONGAIGAON
ASSAM
PIN- 783392

28: BISHU CH. RAY
S/O- SRIJOGESH CH. RAY

R/O VILL- BADARPURGHAT
W/NO. 5
P.O- BADARPURGHAT
DIST- KARIMGANJ
ASSAM

PIN- 788806

29: ABDUL MANNAN BARBHUIYA
S/O MAHMUD ALI BARBHUIYA

R/O VILL- SAHABAD PT-I
P.S-LALA
DIST- HAILAKANDI
ASSAM
PIN- 788163

30: ABDUL HAMID CHOUDHURY
S/O SHIRAJUL HOQUE CHOUDHURY

R/O VILL AND PO- LAKHIRBOND
DIST- HAILAKANDI
ASSAM
PIN- 788155

31: SELIM UDDIN LASKAR
S/O RAHMAN ALI LASKAR

R/O VILL- DAKSHIN JASHNABAD PT-II
PO- TANTOO
DIST- HAILAKANDI
ASSAM
PIN- 788163

32: GULEY AHMED LASKAR
S/O ABDUL MATIN LASKAR

R/O VILL AND PO- CHIPORSANGAM
DIST- HAILAKANDI
PIN- 78881 ASSAM

33: SAHAB UDDIN BARBHUIYA
S/O ABDUR RAZAK BARBHUIYA

R/O VILL- ALGAPUR PT-I
PO- KALIBARI
DIST- HAILAKANDI
ASSAM
PIN- 788162

34: ABDULLA MIA BARBHUIYA
S/O BABUR ALI BARBHUIYA

R/O- VILL- ALGAPUR PT.-I

PO- ALGAPUR KALIBARI BAZAR
DIST- HAILAKANDI
ASSAM
PIN- 788150

35: SIRAJUL ISLAM MAZUMDER
S/O AZIJUR RAHMAN MAZUMDER

R/O VILL- PACHIM KITTERBOND
PO- MONACHERRA
DIST- HAILAKANDI
ASSAM
PIN- 788164

36: ZAKIR HUSSAIN LASKAR
S/O ALI AHMED LASKAR

R/O N.S. ROAD
PO- RATANPUR ROAD
DIST- HAILAKANDI
ASSAM
PIN- 788155

37: MUJIBAR RAHMAN BARBHUIYA
S/O MOTIUR RAHMAN BARBHUIYA

R/O OLD LAKHIMPUR ROAD
P.O AND P.S- SILCHAR
DIST- CACHAR
ASSAM
PIN- 788001

38: ROUF HUSSAIN
S/O DILDAR HUSSAIN

R/O BIDYAPARA COLLEGE ROAD
W/NO. 15
P.O- BIDYAPARA
DIST- DHUBRI
ASSAM
PIN- 783324

39: AFTAUR RAHMAN BARBHUIYA
S/O SIDDEK ALI BARBHUIYA

R/O VILL- DAKSHIN JASHNABAD PT-II
P.O- TANTOO
DIST- HAILAKANDI

ASSAM

40: HEMANTA KALITA
S/O- SRI MUNIN KALITA.
R/O VILL AND PO- MIRZA
MILANPUR HILLSIDE
DIST- KAMRUP
ASSAM
PIN- 781125

41: DILIP KR. UZIR
S/O SRI BHUBAN UZIR

R/O VILL- POCHABASTI
PO- HUGRAJULI
DIST- SONITPUR
ASSAM
PIN- 784507

42: RUPJYOTI BHUIYAN
S/O SRI PADMA KR. BHUIYAN

R/O VILL- PURANIGUDAM BARPANI GAON
P.O- SAMUGURI
DIST- NAGAON
ASSAM
PIN- 782140

43: DEBABRAT SARKAR
S/O SRI DIPAK RANJAN SARKAR

R/O SYNERGY PARADISE APARTMENT
BIDYAMANDIR PATH
BARSAJAI
GUWAHATI
PIN-781028 ASSAM

44: BHUBAN CH. DAS
S/O SRI DAYA RAM DAS

R/O VILL AND PO- KATHKATIA BHAKAYGAON
JAMUNAGAON
DIST- NAGAON
ASSAM
PIN- 782428

45: SELIM UDDIN AHMED
S/O LATE SAIFUDDIN AHMED

R/O VILL- UJANKURI
P.S- HAJO
PO- UJANKURI
DIST- KAMRUP
ASSAM
PIN- 781102

46: DIPTI HAZARIKA
D/O LATE IKHAKU HAZARIKA
R/O AIR FORCE GATE
BELORGURI
NEAR KALI MANDIR
P.O- BONGORA
DIST- KAMRUP(M)
ASSAM
PIN-781015
VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT OF
ASSAM
HAVING ITS OFFICE AT ASSAM SECRETARIAT
DISPUR
GUWAHATI
DIST.- KAMRUP(M)
PIN- 781006.ASSAM.

2:THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
HAVING HIS OFFICE AT ASSAM SECRETARIAT
DISPUR
GUWAHATI
DIST.- KAMRUP(M)
ASSAM
PIN - 781006.

3:THE SECRETARY.
GOVERNMENT OF ASSAM
AGRICULTURE DEPARTMENT
HAVING HIS OFFICE AT ASSAM SECRETARIAT
DISPUR
GUWAHATI
DIST.- KAMRUP(M)
ASSAM
PIN- 781006.

4:THE DIRECTOR

AGRICULTURE DEPARTMENT
ASSAM
KHANAPARA
GUWAHATI-781022
DIST.- KAMRUP(M)
ASSAM.

5:THE ASSAM STATE AGRICULTURE MARKETING BOARD.
REPRESENTED BY THE CHAIRMAN
HAVING ITS OFFICE AT RAMKRISHNA MISSION
ULUBARI
GUWAHATI-781007
DIST.- KAMRUP(M)
ASSAM.

6:THE CHIEF EXECUTIVE OFFICER
ASSAM AGRICULTURAL MARKETING BOARD
HAVING ITS OFFICE AT RAMKRISHNA MISSION
ULUBARI
GUWAHATI-781007
DIST.- KAMRUP(M)

Advocate for : MR. H. BURAGOHAIN
Advocate for : SC
AGRI. DEPARTMENT appearing for THE STATE OF ASSAM AND ORS

Linked Case : WP(C)/6327/2024

BIKASH CHOUDHURY AND 2 ORS
S/O- DHARANI DHAR CHOUDHURY
R/O- H.NO-82

BHETAPARA CHARIALI
HARIDEV ROAD
P.O- BELTOLA
P.S- BASISTHA
GUWAHATI-28
ASSAM

2: SAURAV DAS
S/O- LATE PRADIP DAS

R/O- VILLAGE- PUB SALMARA
P.O- PHULAGURI
P.S- RAHA
NAGAON

PIN-782103
ASSAM

3: HEMANTA SAIKIA
S/O-PURNESWAR SAIKIA

R/O- VILLAGE- KHAMJONGIA
P.O- KACHUKHAT
P.S- TITABAR
NAGAON
PIN-785633
ASSAM
VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-06

KAMRUP METRO
ASSAM

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF AGRICULTURE
DISPUR
GUWAHATI-06
KAMRUP METRO
ASSAM

3:THE SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF AGRICULTURE
DISPUR
GUWAHATI-06
KAMRUP METRO
ASSAM

4:THE DIRECTOR
AGRICULTURE DEPARTMENT
KHANAPARA
GUWAHATI-22
KAMRUP METRO
ASSAM

5:THE ASSAM STATE AGRICULTURAL MARKETING BOARD
REP. BY ITS CHAIRMAN

OFFICE ADDRESS-
RAMKRISHNA MISSION
ULUBARI
GUWAHATI-07

DIST- KAMRUP(M)
ASSAM

6:THE CHIEF EXECUTIVE OFFICER
ASSAM AGRICULTURAL MARKETING BOARD
OFFICE ADDRESS-
RAMKRISHNA MISSION
ULUBARI
GUWAHATI-07

DIST- KAMRUP(M)
ASSAM

Advocate for : MR. H. BURAGOHAIN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

O R D E R

24.07.2026.

Heard Mr. H. Buragohain, learned counsel appearing for the applicant/writ petitioners. Also heard Mr. N.J. Gogoi, learned Standing Counsel appearing for the Agriculture Marketing Board, Assam.

Mr. Buragohain, the learned counsel appearing for the applicant/writ petitioners submits that the affidavit-in-opposition filed pursuant to the direction of this Court dated 27.05.2026, does not satisfactorily explain as regards the refund of the unutilized amount in question, contrary to the assurance given before this

Court.

Mr. Gogoi, the learned Standing Counsel appearing for the Agriculture Marketing Board, Assam on the other hand submits that the respondent authorities have explained their stand in the said affidavit in opposition. However, if so advised, he shall file an additional affidavit.

Re-post the matters on 26.08.2026.

JUDGE

Comparing Assistant