

GAHC010071942025



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

Case No. : WP(C)/1924/2025

LAIPULI GAON PANCHAYAT SAMABAI SAMITY LIMITED AND 15 ORS.
REGISTERED OFFICE - LAIPULI, BORDUBI ROAD, P.O.- PANITOLA, DIST-
TINSUKIA, ASSAM, PIN-786183 REPRESENTED BY ITS CHAIRMAN, SRI
SAILEN KUMAR BORAH (AGE - 56 YEARS)

2: MARGHERITA GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - MARGHERITA
JAYA NAGAR VIA MARGHERITA
P.O MAKUM PATHAR
DISTRICT TINSUKIA
ASSAM
PIN-786187
REPRESENTED BY ITS SECRETARY
SMTI. SHILPI BORUAH (AGE - 42 YEARS)

3: BORBIL GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - 1 NO. BORBIL
NEAR L.P SCHOOL
P.O DIGBOI
DISTRICT TINSUKIA
ASSAM
PIN-786171
REPRESENTED BY ITS SECRETARY
SMTI. MONALISHA KONWAR (AGE- 41 YEARS)

4: TIPUK GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - RUPAI SIDING
DOOMDOOMA
P.O RUPAI SIDING
DISTRICT TINSUKIA
ASSAM
PIN- 786153
REPRESENTED BY ITS CHAIRMAN
SRI DHARMENDRA SONOWAL (AGE - 50 YEARS)

5: LEDO GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - LEDO BAZAR
P.O LEDO
DISTRICT TINSUKIA
ASSAM
PIN- 786153
REPRESENTED BY ITS SECRETARY
SRI PREM BAHADUR CHETRY (AGE - 32 YEARS)

6: KETETONG GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - KETETONG
P.O KETETONG
DISTRICT TINSUKIA
ASSAM
PIN-786181
REPRESENTED BY ITS SECRETARY
SRI DUMAI DUNIA (AGE - 52 YEARS)

7: GUIJAN GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - GUIJAN 5 NO.
P.O RONGAGORA
DISTRICT TINSUKIA
ASSAM
PIN-786147
REPRESENTED BY ITS SECRETARY
SRI MUNNA PAUL (AGE - 38 YEARS)

8: TINGRAI GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - TINGRAI BAZAR
NEAR TINGRAI HIGH SCHOOL
1 NO. AKHOMIA GAON
P.O TINGRAI BAZAR
DISTRICT TINSUKIA
ASSAM
PIN-786171
REPRESENTED BY ITS SECRETARY
SRI SWAPON NAG

9: BAZALTOLI GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - BAZALTOLI
P.O BORGURI
DISTRICT TINSUKIA
ASSAM
PIN-786125
REPRESENTED BY ITS SECRETARY
SRI UTPAL NEOG

10: KAKOPATHAR GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - KAKOPATHAR
NEAR FOREST OFFICE
P.O KAKOPATHAR
DISTRICT TINSUKIA
ASSAM
PIN-786152
REPRESENTED BY ITS SECRETARY
SRI SHAMBHU CHOUDHARY (AGE - 56 YEARS)

11: GABHORUBHETI GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - GABHORUBHETI
VILLAGE BISHNUPUR
P.O PHILOBARI
DISTRICT TINSUKIA
ASSAM
PIN-786160
REPRESENTED BY ITS SECRETARY
SRI BODRI CHETRY (AGE - 42 YEARS)

12: TALAP GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - BALI BAZAR
TALAP
P.O TALAP
DISTRICT TINSUKIA
ASSAM
PIN-786156
REPRESENTED BY ITS CHAIRMAN
MD. NASHIM ANSARI (AGE - 62 YEARS)

13: BAPUJI GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - HOGRIJAN
P.O BORDUBI
DISTRICT TINSUKIA
ASSAM
PIN- 786601
REPRESENTED BY ITS SECRETARY
SRI JYOTI BORDOLOI (AGE - 65 YEARS)

14: DANGORI GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - DANGORI
P.O DANGORI
DISTRICT TINSUKIA
ASSAM
PIN- 786156
REPRESENTED BY ITS SECRETARY
SRI PRONOB SONOWAL (AGE - 33 YEARS)

15: BURIDIHING GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - BIJULIBON
VILLAGE MOILAPUR
P.O CHIKARAJAN
DISTRICT TINSUKIA
ASSAM
PIN- 786150
REPRESENTED BY ITS CHAIRMAN
SRI PUSHPA MARAN (AGE - 48 YEARS)

16: TONGONA GAON PANCHAYAT SAMABAI SAMITY LIMITED
REGISTERED OFFICE - TONGONA BAZAR
P.O TONGONA BAZAR
DISTRICT TINSUKIA
ASSAM
PIN-786152
REPRESENTED BY ITS SECRETARY
SRI SUBORNA DOHOTIA (AGE - 44 YEARS)

VERSUS

THE UNION OF INDIA AND 3 ORS.
REPRESENTED BY THE SECRETARY TO THE DEPARTMENT OF FOOD AND
CONSUMERS AFFAIRS, SHASTRI BHAWAN, NEW DELHI, PIN-110001

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER TO THE GOVT OF ASSAM
FOOD
PUBLIC DISTRIBUTION AND CONSUMER AFFAIRS DEPARTMENT
DISPUR
GUWAHATI
PIN-781006

3:THE SECRETARY
FOOD
PUBLIC DISTRIBUTION AND CONSUMER AFFAIRS DEPARTMENT
DISPUR
GUWAHATI
PIN-781006

4:THE DISTRICT COMMISSIONER
TINSUKIA
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS BRANCH
DISTRICT- TINSUKIA
ASSAM
PIN-78612

For the Petitioner(s) : Mr. K.N. Choudhury, Sr. Advocate
Mr. T. Deuri, Advocate

For the Respondent(s) : Mr. D. Nath, Sr. Govt. Advocate
Ms. J. Gayan, Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 06.11.2025

Heard the matter at length.

2. The issue involved in the present writ petition is, as to whether, the Notice Inviting Tender dated 26.03.2025 permitting a proprietor/partner or a director to participate in the tender process for Handling and Transportation of food grains under the National Food Security Act, 2013 is permissible in view of Clause 2(g) of the Targeted Public Distribution System (Control) Order, 2015 read with Clause 7(1) and Clause 8(3) of the said Order.

3. This Court has also duly taken note of the order dated 07.08.2025 passed in I.A.(Civil) No. 1557/2025 whereby the learned Coordinate Bench of this Court had expressed its opinion on the issue and had observed the ad hoc arrangement made by the District Commissioner, Tinsukia for engaging private contractors was not permissible.

4. Mr. D. Nath, the learned Senior Government Advocate

appearing on behalf of the State respondents submitted that he requires 10 (ten) days time to obtain further instruction(s) in the matter and to file an affidavit on behalf of the State of Assam.

5. Accordingly, list this matter again on 17.11.2025 at 2.00 P.M. for further hearing.

6. The affidavit be filed on or before 14.11.2025.

JUDGE

Comparing Assistant