

GAHC010093692022



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

Case No. : WP(C)/3515/2022

MD. ALKAS ALI SHEIKH
SON OF LATE ASAR ALI SHEIKH, RESIDENT OF VILL- MOKRAPARA, P.O.-
K/BHOTGAON, P.S.- KOKRAJHAR, DIST.- KOKRAJHAR, ASSAM, PIN-
783370.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, FOOD AND CIVIL SUPPLY AND CONSUMER
AFFAIRS, DISPUR, GUWAHATI-781006.

2:THE BODOLAND TERRITORIAL COUNCIL
REPRESENTED BY ITS PRINCIPAL SECRETARY
KOKRAJHAR (BTC)
ASSAM
PIN- 783370.

3:THE DEPUTY COMMISSIONER
KOKRAJHAR
ASSAM
PIN- 783310.

4:JOINT DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
KOKRAJHAR
MUSHALPUR
JD ROAD
ASSAM
PIN- 781377.

5:M/S BHOTGAON SAMANBAY SAMITI LTD.
REPRESENTED BY ITS SECRETARY
BHOTGAON
PIN- 783370.

6:INSPECTOR OF POLICE
OFFICER-IN-CHARGE KOKRAJHAR POLICE STATION
KOKRAJHAR
ASSAM
PIN- 783370

For the Petitioner(s) : None appears

For the Respondent(s) : Mr. K. Gogoi, Addl. Sr. Govt. Advocate
Mr. M.K. Das, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 15.12.2025

None appears on behalf of the petitioner on call.

2. The petitioner herein has approached this Court being aggrieved by the non-renewal of the fair price shop license.

3. This Court has duly perused the affidavits filed by the respondent No. 2 and respondent No. 4 wherein it is mentioned that on account of the pendency of certain criminal proceedings, the license has not been renewed.

4. This Court has duly perused the Assam Public Distribution of Articles Order, 1982 (for short, "the Order of 1982") as well as the license which has been issued in terms with the enclosures

to the said Order of 1982.

5. From a perusal of the provisions of the Order of 1982 as well as the covenants contained in the license, it is seen that the renewal of the license is a norm and non-renewal is an exception. Under such circumstances, this Court enquired with learned counsels appearing on behalf of the respondents, as to whether, it would be fair and reasonable on the part of the Respondent Authorities not to renew the license by not disclosing the reasons.

6. Mr. K. Gogoi, the learned Additional Senior Government Advocate as well as Mr. M.K. Das, the learned Standing Counsel, BTC who represents the concerned respondents submitted that they would obtain necessary instructions.

7. Accordingly, list this matter again on 16.02.2026 for an update.

JUDGE

Comparing Assistant