

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

**Advocate for the Petitioner** : DR G J SHARMA, MR A KUDDUS

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

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**24.02.2026**

Heard Ms. K. Bhattacharya, learned counsel for the petitioner and Ms. N. Choudhury, learned Standing Counsel, BTC for the respondent nos. 2 & 4.

Mr. G. Bakalial, learned Junior Government Advocate, Assam for the respondent nos. 1, 3 & 6 is present.

As per order dated 30.08.2022 of the Lawazima Court, service of notice upon the respondent no. 5 is complete.

None has appeared for the respondent no. 5 till date.

Ms. Bhattacharya, learned counsel for the petitioner during the course of submissions, has submitted that the petitioner has been convicted under Section 7 of the Essential Commodities Act, 1955 in the trial arising out of Kokrajhar Police Station Case no. 59/2018.

As per the allegation made in the First Information Report [FIR] lodged in connection with Kokrajhar Police Station Case no. 59/2018, on 10.02.2018, the petitioner, a Fair Price Shop licensee, had illegally sold about 10 litres of kerosene from his shop.

Ms. Bhattacharya, learned counsel for the petitioner has sought time till 26.02.2026 to

obtain a copy of the judgment passed by the Trial Court.

List the case accordingly on 26.02.2026.

**JUDGE**

**Comparing Assistant**