

GAHC010101732019



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

**Case No. : WP(C) 3030/2019**

1:BAKULI DEBNATH  
W/O- LT RAJENDRA DEBNATH AND D/O- LT BISWAMBER DEBNATH @ LT  
BISWAMBER NATH, VILL- NO. 4 BISHNUPUR, P.S. DHEMAJI, DIST-  
DHEMAJI, ASSAM, PIN- 787057

VERSUS

1:UNION OF INDIA AND 4 ORS.  
THROUGH THE SECY., MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA,  
NEW DELHI- 110001

2:THE STATE OF ASSAM  
THROUGH THE SECY.  
GOVT. OF ASSAM  
HOME DEPTT.  
DISPUR  
GHY-6

3:THE DY. COMMISSIONER  
DHEMAJI  
DIST- DHEMAJI  
ASSAM  
PIN- 787057

4:SUPERINTENDENT OF POLICE (B)  
DHEMAJI  
DIST. AND P.O. DHEMAJI  
PIN- 787057

5:OFFICER-IN-CHARGE  
DHEMAJI P.S.  
DIST- DHEMAJI  
ASSAM  
PIN- 78705

**Advocate for the Petitioner : MR G P BHOWMIK**

**Advocate for the Respondent : ASSTT.S.G.I.**

**BEFORE**  
**HONOURABLE MR. JUSTICE MANOJIT BHUYAN**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

19.08.2019

**(Manojit Bhuyan, J)**

Heard Mr. G.P. Bhowmik, learned senior counsel for the petitioner as well as Ms. G. Hazarika, learned counsel representing respondent no.1. Mr. J. Payeng, learned counsel represents respondent nos.2, 3, 4 and 5.

For the purpose of establishing linkage to one Biswambar Debnath, the petitioner have placed reliance in a Certificate dated 05.11.2017 issued under the hand of the President/General Secretary, All Assam Other Backward Classes' Association, which also bears the countersignature of the Deputy Commissioner, Dhemaji. It is seen that during the proceedings before the Tribunal, the Deputy Commissioner, Dhemaji was asked to respond regarding the genuineness of the said document. On 10.10.2018 a reply was made from the Office of the Deputy Commissioner, Dhemaji stating that records relating to the said Certificate in the name of the petitioner could not be found.

Mr. Bhowmik now makes a submission that since the Certificate was issued by the All Assam Other Backward Classes' Association, the records would be available in the Registered Office of the said Association.

To get to the root of the matter, we make a direction to the Deputy Commissioner, Dhemaji to obtain a report from the All Assam Other Backward Classes' Association, having its Registered Office at S.K. Baruah Road, Guwahati as to whether the said Association had issued the Caste Certificate bearing Sl. No./07(A) 19992 dated 05.11.2007 in favour of Bakuli Debnath.

A copy of this order along with a photocopy of the Caste Certificate, as enclosed to the writ petition, shall be made available to Mr. J. Payeng, learned State Counsel for onward transmission to the Deputy Commissioner, Dhemaji, for his doing the needful.

List for Motion immediately after 2 (two) weeks.

Case records so received be retained.

**JUDGE**

**JUDGE**

**Comparing Assistant**