

GAHC010117652026



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

Case No. : WP(C)/3181/2026

SRI ANGSHUMAN SARMA
SON OF SRI KHAGEN SARMA, RESIDENT OF VILL- PACHIMPAR
BAGHBARI, POLICE STATION AND POST OFFICE- RANGIA, DISTRICT -
KAMRUP, ASSAM, PIN - 781354.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, FOOD, CIVIL SUPPLIES AND CONSUMER
AFFAIRS DEPARTMENT, DISPUR, GUWAHATI - 781006.

2:THE DEPUTY COMMISSIONER
KAMRUP
AMINGAON
ASSAM
PIN -781039.

3:THE JOINT DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
NUMALIJALAH (PART)
AMINGAON
KAMRUP
ASSAM
PIN - 781031

4:THE ASSISTANT DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
RANGIA
KAMRUP
ASSAM
PIN - 781354.

5:SRI CHANDAN SARMA
SON OF LATE LOHIT SARMA
RESIDENT OF VILLAGE PACHIMPAR BAGHBARI
POLICE STATION AND POST OFFICE- RANGIA
DISTRICT - KAMRUP
ASSAM
PIN - 78135

Advocate for the Petitioner : MR. B K SEN, P SINGH,F. SHAHIN,MR A HUSSAIN,N HASAN

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

Date : 17-06-2026

Heard Shri B.K. Sen, the learned Legal Aid Counsel for the petitioner.

The petitioner is aggrieved by an order dated 02.08.2024, whereby a fair price shop has been allotted to the respondent No. 5.

As per the facts projected, the said fair price shop was earlier run by one Paresh Sarma, who is the uncle of the petitioner and since the said Paresh Sarma was unwell, the petitioner was helping him out in running the business. The petitioner has also referred to a No Objection affidavit filed by the earlier owner with regard to transfer of the license to the petitioner. The earlier owner had, however, died in the year 2024 and the petitioner had applied for license, which was not acted upon. He has also drawn the attention of this Court to a communication dated 08.09.2023, whereby he was directed to deposit certain fee.

As no action was taken, the petitioner had earlier filed WP(C) 5783/2024

in which the impugned order had come to light in the form of an affidavit filed by the respondent authorities. The earlier writ petition was accordingly withdrawn with liberty and the present petition has been instituted.

Shri. S.R. Baruah, the learned State Counsel has, however, submitted that from the materials available, it appears that there were as many as 5 (five) contenders for the license and in the selection, the respondent No. 5 was selected. He has also submitted that a relative of an earlier fair price shop would not get any preference under the existing law.

Be that as it may, let notice be issued, returnable on 20.07.2026.

Shri. S.R. Baruah, the learned State Counsel accepts notice on behalf of respondent Nos. 1 to 4. Extra copies of the writ petition be furnished to him.

Let steps for service of notice upon the respondent No. 5 be taken by speed post with A/D within 2 (two) days.

JUDGE

Comparing Assistant