

GAHC010127502026



undefined

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

Case No. : WP(C)/3278/2026

NURUL HASAN MOZUMDER
SON OF GULE AHMED MAZUMDER, RESIDENT OF HOUSE NO. 245,
KANAKPUR PART-I, SONAI ROAD, DISTRICT- CACHAR, ASSAM, PIN-
788006.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, COOPERATION DEPARTMENT, DISPUR, GUWAHATI-06.

2:THE REGISTRAR OF CO-OPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI-781022

3:THE ZONAL JOINT REGISTRAR OF COOPERATIVE SOCIETIES
CACHAR
SILCHAR
ASSAM

4:THE DEPUTY REGISTRAR OF COOPERATIVE SOCIETIES
CACHAR
SILCHAR
ASSAM.

5:THE ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES
DHUBRI
ASSA

Advocate for the Petitioner : MR. J M A CHOUDHURY, L P BORAH,K G CHOWDHURY

Advocate for the Respondent : GA, ASSAM, SC, CO OP

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

22.06.2026

Heard Mr. J. M. A. Choudhury learned counsel for the petitioner.

2. Mr. R. M. Das, learned counsel representing the Department of Social Justice and Empowerment, Government of Assam will apprise the Court as to the existence of any policy or notification or O.M. with regard to transfer and postings of persons with benchmark disabilities.

3. The learned counsel for the petitioner has referred to and relied upon the O.M. issued by the Government of India dated 10.05.1990 and 13.03.2002, however while issuing the impugned order dated 17.06.2026, the respondent authority submits that so far as State of Assam is concerned no guidelines are issued by the Government of India.

4. Under such circumstances, the Court has requested Mr. R. M. Das, learned counsel to apprise the Court on all these aspect.

5. Mr. G. Bordoloi, learned counsel appears for the respondent authorities.

6. The Registry will reflect the name of Mr. R. M. Das, learned counsel representing the Department of Social Justice and Empowerment, Government

of Assam, in the cause list on the next date fixed.

- 7.** The petitioner will ensure service of copies of the writ petition along with all enclosures within a period of 2 working days.
- 8.** Copy of this order shall be marked to Mr. R. M. Das, learned counsel for the respondents, for enabling him to obtain required instructions in the matter.
- 9.** Accordingly, re-list this matter on 15.07.2026, on which date Mr. R. M. Das, learned counsel for the respondents will obtain required instructions in the matter and apprise the Court.
- 10.** Considering the Central Statue of Rights of Persons with Disabilities Act, 2016 and the protection granted to person with benchmark disability and the existence of O.M. dated 02.02.2024 issued by the Department of Personnel, Government of India, till the next day fixed, the impugned order dated 17.06.2026 shall remain stayed.

JUDGE

Comparing Assistant