

GAHC010127502026



2026:GAU-AS:9923

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, MR R M DAS, LD. COUNSEL, DEPTT. OF SOCIAL JUSTICE & EMPOWERMENT, GOVT. OF ASSAM,SC, CO OP

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : 20.07.2026

Heard Mr. J.M.A. Choudhury, learned counsel, appearing for the petitioner. Also heard Mr. G. Bordoloi, learned Standing Counsel, Cooperation Department.

2. The petitioner in the present writ petition has assailed an order dated 15.03.2026, by which he was transferred and posted as Senior Inspector Cooperative Societies from the establishment of Deputy Registrar of Cooperative Societies, Cachar, to the establishment of the Assistant Registrar of Cooperative Societies, Dhubri.

3. The petitioner has assailed the said transfer order on the ground that he being a person with Benchmark Disability was not in a position to proceed to a place of posting far away from his home district.

4. Mr. J.M.A. Choudhury, on the last date of listing, had submitted that there were vacancies in the post of Senior Inspector/ Auditor, available in Districts adjoining the districts of Cachar, wherein, the petitioner can be considered for posting. Accordingly, this Court had required Mr. G. Bordoloi,

appearing for the respondents to receive his instructions in the matter.

5. Today when the matter was taken up for consideration, Mr. G. Bordoloi, has placed on record the vacancy position with regard to the post of Senior Inspector/Auditor of Cooperative Societies in the Districts adjoining the Cachar district. He submits that there are posts of Senior Inspector/Auditor, available in the establishment of the Assistant Registrar of Cooperative Societies, Hailakandi, Assistant Registrar of Cooperative Societies, Sribhumi, and Deputy Registrar Cooperative Societies, Sribhumi.

6. Mr. G. Bordoloi, submits that the petitioner can be posted to any of the said posts by modifying the transfer and posting ordered in his case vide the order dated 15.03.2026. Mr. Bordoloi, submits that, in the event directed by this Court, appropriate orders of transferring and posting of the petitioner either at Hailakandi and/or at Sribhumi, can be issued.

7. In view of the submissions of the learned Standing Counsel, Cooperation Department, this Court directs the Respondent Authorities, more particularly the Secretary, to the Government of Assam, Cooperation Department, to issue appropriate orders modifying the posting ordered in respect of the petitioner on his transfer vide the notification dated 15.03.2026, and to post him against a suitable vacant post available in the district of Hailakandi and/or Sribhumi. Orders in this connection be issued within a period of 02 (two) weeks from today.

8. Till issuance of such orders, the services of the petitioner as Senior Inspector/Auditor in the establishment of the District Registrar Cooperative Societies, Silchar, shall not be disturbed.

9. With the above observations and directions, the present writ petition stands disposed of.

10. A copy of the instruction furnished by Mr. G. Bordoloi, learned Standing Counsel, Co-operation Department, is kept on record and marked as 'X' for the purpose of identification.

JUDGE

Comparing Assistant