

GAHC010145172025



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

Case No. : WP(C)/3805/2025

ALIM UDDIN TAPADAR
S/O SAMSUL ALAM TAPADAR, R/O VILL. DHOLAI MOLAI PART V, P.O.
DHOLAI MOLAI, DIST. HAILAKANDI, ASSAM, PIN 788161

VERSUS

THE STATE OF ASSAM AND 5 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT.
OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT, PANJABARI,
JURIPAR, GUWAHATI 781037

2:THE ASSAM STATE ELECTION COMMISSION

REPRESENTED BY ITS CHIEF ELECTORAL OFFICER
HOUSEFED COMPLEX
BELTOLA BASISTHA ROAD
DISPUR
GUWAHATI 781006

3:THE DIST. COMMISSIONER

HAILAKANDI
P.O. HAILAKANDI
DIST. HAILAKANDI
ASSAM
PIN 788151

4:THE CHIEF EXECUTIVE OFFICER

HAILAKANDI ZILLA PARISHAD
P.O. AND DIST. HAILAKANDI
PIN 788151

5:THE BLOCK DEVELOPMENT OFFICER

LALA DEVELOPMENT BLOCK
P.O. LALA
DIST. HAILAKANDI
PIN 788163

6:RAFIYA BEGUM

W/O KOYES AHMED
R/O VILL. DHOLAI MOLAI PART V
P.O. DHOLAI MOLAI
DIST. HAILAKANDI
PIN 78816

Advocate for the Petitioner : MR. A R TALUKDAR,

Advocate for the Respondent : GA, ASSAM, SC, P AND R.D.,SC, A S E C

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

14.07.2025

Heard Shri AR Talukdar, learned counsel for the petitioner, who has put to challenge the election of the respondent no. 7 as a Ward Member from Ward No. 1 (Dholai-Molai Pt.V, Village) under 57 No. Dhola-Molai Gaon Panchayat in the district of Hailakandi. It is the case of the petitioner that the selected candidate (respondent no. 7) does not possess the requisite educational qualification which is HSLC.

Prima facie no prejudice of any nature has been able to be demonstrated by the petitioner who was not a candidate.

Be that as it may, let notice be issued, returnable by 6(six) weeks.

Shri S. Dutta, learned Standing Counsel, Panchayat and Rural Development

Department accepts notice on behalf of the respondent nos. 1, 5 and 6 whereas Shri R. Dubey, learned Standing Counsel, ASEC accepts notice on behalf of the respondent no. 2 and Shri N. Das, learned State Counsel accepts notice on behalf of the respondent no. 3. Extra copies of the writ petition be served upon the learned counsel for the respondents by tomorrow.

Petitioner to take steps for service of notice upon the respondent no. 7 by registered post with A/D. Steps by tomorrow.

List this case after 6(six) weeks.

JUDGE

Comparing Assistant