

GAHC010164662023



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

Case No. : WP(C)/4331/2023

JOY PROKASH BASUMATARY AND 21 ORS
S/O- SRI RUPENDRA NATH BASUMATARY, RNB ROAD, KOKRAJHAR,
WARD NO. 7, P.O. AND P.S. KOKRAJHAR.

2: RAHUL BRAHMA
S/O- SRI CHABI BRAHMA
VILL.- MITHIGAPUR HABRUBARI
P.O.
P.S. AND DIST. KOKRAJHAR.

3: JAIN RAJ BRAHMA
S/O- SRI MANIRAJ BRAHMA
J.D. ROAD
KOKRAJHAR
WARD NO. 4
P.O.
P.S AND DIST. KOKRAJHAR.

4: DEEPTI BASUMATARY
W/O- SRI JANAK KR. NARZARY
VILL.- AMLAIGURI (TITAGURI)
P.O. TITAGURI
P.S. AND DIST. KOKRAJHAR.

5: PRANJIT BRAHMA
S/O- SRI AJOY KR. BRAHMA
SOUTH BAZAR ROAD
KOKRAJHAR
WARD NO. 6
P.O.
P.S. AND DIST. KOKRAJHAR.

6: BERLANG NARZARY
S/O- SRI GOPINATH NARZARY

VILL.- RAIKHUNGBARI
P.O. KACHUGAON
P.S. KACHUGAON
DIST. KOKRAJHAR.

7: JITU BRAHMA
S/O- SRI PRAMOD CH. BRAHMA
VILL.- GOSSAIGAON JOYANAGAR
WARD NO. 4
P.O. AND P.S. GOSAIGAON
DIST. KOKRAJHAR.

8: PRAMILA BRAHMA
W/O- SRI SUNIL BRAHMA
VILL.- SHYAMTHAIBARI
P.O. SIMALAGURI
P.S. DHALIGAON
DIST. KOKRAJHAR.

9: DANIEL MOSAHARY
S/O- SRI SOLISORN MOSAHARY
VILL.- PATKIJULI
P.O. PATKIJULI
P.S. TAMULPUR
DIST. BAKSA.

10: ANJANA BORO
W/O- SRI ANANDA RAM BORO
VILL.- BALAHATI SUTIAPARA
P.O. GORMOW
P.S. GORESWAR
DIST. BAKSA.

11: JITU DAIMARY
S/O- SRI DHARANI DAIMARI
VILL.- BARIGAON
P.O. NICHILAMARI
P.S. TANGLA
DIST. UDALGURI.

12: INDRA MUCHAHARY
S/O- SRI AMARENDRA MUCHAHARY
BIJNI TOWN
WARD NO. 1
P.S. BIJNI
P.O. BIJNI
DIST. CHIRANG.

13: BHASKAR BASUMATARY
S/O- SRI MANESWARE BASUMATARY
VILL.- MAKRA PATKIGURI
P.O. KOLIAGAON
P.S. BIJNI
DIST. CHIRANG.

14: MD. SADDAM EKRAMUL HOSSAIN
S/O- MD. JURAN ALI SHEIKH
VILL- KHORAGHAT
P.O. BARKANDA
P.S. BAGRIBARI
DIST. KOKRAJHAR.

15: MANASH JYOTI KALITA
S/O- SRI MADHAB CHANDRA KALITA
VILL.- ADALBARI
P.O. ADALBAI
P.S. MUSHALPUR
DIST. BAKSA.

16: BHASKAR BARMAN
S/O- SRI DHANESWAR BARMAN
VILL.- CHITHILA
P.O. CHITHILA
P.S. FAKIRAGRAM
DIST. KOKRAJHAR.

17: ALOK MIKHERJEE
S/O- SRI AMULYA MUKHERJEE
VILL.-RAJAPARA PT-1
P.O. BAGRIBARI
P.S. BAGRIBARI
DIST. KOKRAJHAR.

18: JITU MAZUMDER
S/O- SRI DIMBESWAR MAZUMDER
VILL.- NIZ HARISINGA
P.O. HARISINGA
P.S. PANERY
DIST. UDALGURI.

19: RANA DUTTA
S/O- SRI NIKHIL DUTTA
VILL.- KHAJUABIL
P.O. KOPATI
P.S. ROWTA
DIST. UDALGURI.

20: SWMDWN BROHMO KARJEE
S/O- SRI RAJIV BROHMO KARJEE
VILL.- KODOMTOLA
P.O. DOTMA
P.S. DOTMA
DIST. KOKRAJHAR.

21: NARAYAN KARKI
S/O- SRI KRISHNA KARKI
VILL.- PATGAON
P.O. PATGAON
P.S. SERFANGURI
DIST. KOKRAJHAR.

22: PARTHA PRATIM HAZARIKA
S/O- SRI RAM CHANDRA HAZARIKA
VILL.- BHALUKMARI
P.O. BHALUKMARI
P.S. ROWTA
DIST. UDALGURI

VERSUS

THE STATE OF ASSAM AND 23 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, FCS AND CA DEPARTMENT, DISPUR,
GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
WPT AND BC DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE (BUDGET) DEPARTMENT
DISPUR
GUWAHATI-781006.

4:THE DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
BHANGAGARH
GUWAHATI-781005
ASSAM

5:THE COUNCIL HEAD OF DEPARTMENT
FOOD

CIVIL SUPPLIES AND CONSUMER AFFAIRS
BTC
KOKRAJHAR.

6:THE SECRETARY (FCS AND CA)
BTC
KOKRAJHAR.

7:THE JOINT DIRECTOR
(FCS AND CA)
BTC
KOKRAJHAR.

8:THE MEMBER SECRETARY
CENTRAL SELECTION BOARD
BTC
KOKRAJHAR.

9:KAMAL KRISHNA MISRA
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

10:ILLIAS PRODHANI
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

11:BIPLOB LANGTHASA
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

12:BHABEN KUMAR
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

13:SABIN KR. BORO
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

14:DHIRAJ BAISHYA
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

15:JIRSONG TUMUNG
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

16:ABHIJEET BHATTACHARYA
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

17:YASABANTA MEDHI
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

18:DEVASHIS SAHA
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

19:CHAITALI SAHA
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

20:SYED IFTIKAR AHMED
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

21:MUKUNDA RAY
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

22:CHAI WON WEINGKEN
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

23:RATAN CHANDRA GOGOI
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM

24:PRANITA KALITA PATHAK
SUB-INSPECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
GOVERNMENT OF ASSAM.
(RESPONDENTS NO. 9 TO 24 TO BE SERVED THROUGH THE DIRECTOR
FOOD
CIVIL SUPPLIES AND CONSUMER AFFAIRS
BHANGAGARH
GUWAHATI-781005
ASSAM

25:THE COMMISSIONER
FOOD CIVIL SUPPLIES
CONSUMER AFFAIRS AND LEGAL METROLOGY
DIST.- KAMRUP (M)
ASSAM-781007

Advocate for the Petitioner : MR. M K CHOUDHURY, MR. A BARKATAKI,MR P
BHARDWAJ,MR. M SARMA

Advocate for the Respondent : GA, ASSAM, MR P J BORAH(R- 10 TO 24),MR B PRASAD (R- 10
TO 24),SC, BTC,SC, WPT AND BC,SC, FINANCE DEPTT.

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

17.11.2025

Heard Mr. M.K. Choudhury, learned Senior counsel assisted by Ms. N. Dutta,

learned counsel for the petitioners. Also heard Mr. B. Prasad, learned counsel for the respondent Nos.10—24, Mr. D. Nath, learned Senior Government Advocate for the respondent Nos.1 and 4 and Mr. A. Sharma, learned standing counsel, BTC, appearing for the respondent Nos.5—8.

Mr. Choudhury, learned Senior counsel for the petitioners submits that the respondent Nos.10—24 have filed their affidavit-in-opposition and the petitioners will file their reply and he prays for granting him 4(four) weeks' time.

Prayer is accordingly allowed.

Mr. Sharma, learned standing counsel for the respondent BTC prays for granting sometime to obtain instruction in respect of the affidavit-in-opposition.

Prayer is allowed.

Registry shall list the matter after 4(four) weeks.

Sd/- Robin Phukan
JUDGE

Comparing Assistant