

GAHC010181162025



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

Case No. : WP(C)/4874/2025

SANKAR DAS AND ANR
S/O- ANIL DAS, VILL.- MAHAKAL, WARD NO. 3, P.S. BADARPUR, DIST.
SRIBHUMI, ASSAM

2: SAHID AHMED
S/O- TAJAMUL ALI
VILL.- MOHAKOL
P.S. BADARPUR
DIST. SRIBHUMI
ASSA

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,
GUWAHATI-06.

2:THE ASSAM STATE ELECTION COMMISSION
REPRESENTED BY ITS SECRETARY
DISPUR
GUWAHATI-06.

3:THE DISTRICT COMMISSIONER CUM DISTRICT RETURNING OFFICER
SRIBHUMI
P.O. KARIMGANJ
DIST. SRIBHUMI
ASSAM
PIN- 788710.

4:THE PRESIDENT
MAKAHAL GAON PANCHAYAT
VILL.- AND P.O. MAHAKAL
P.S. BADARPUR

DIST. SRIBHUMI
ASSAM

5:SMTI SUKRITI SUKLABAIDYA
W/O- SUBODH SUKLABAIDHYA
VILL. AND P.O. MAKAKAL
P.S. BADARPUR
DIST. SRIBHUMI
ASSA

Advocate for the Petitioner : MR H R CHOUDHURY, MS G TALUKDAR,Z HUSSAIN

Advocate for the Respondent : GA, ASSAM, SC, ASEC,SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

27-08-2025

Heard Shri H. R. Choudhury, learned counsel for the petitioners, who are aggrieved by the election of the respondent no. 5 as a Gaon Panchayat Member from Ward No. 3 of Mahakal Gaon Panchayat in the district of Sribhumi. It is contended that the said respondent no. 5 had submitted forged documents regarding her educational qualification and in this regard, the petitioners had filed representation before the District Commissioner on 30.07.2025 which has not been acted upon.

Let **notice** be issued, returnable by **4 (four) weeks**.

Ms. P. Thapa, learned counsel appearing on behalf of Shri S. Dutta, learned Standing Counsel, P&RD accepts notice on behalf of respondent no. 1; Shri R. Dubey, learned Standing Counsel, Election Commission accepts notice on behalf of respondent no. 2 whereas Shri N. Goswami, learned State Counsel accepts notice on behalf of respondent no. 3. Extra copies of the writ petition be

served upon them within 2 (two) days.

Let steps for service of notice upon the respondent nos. 4 & 5 be taken by registered post with A/D within 2 (two) days.

The learned counsel for the respondents have however raised an issue of maintainability of the writ petition as the petitioners were not the candidates but only the voters.

The aforesaid issue of maintainability is kept open.

Pendency shall not be a bar for consideration and disposal of the representation.

JUDGE

Comparing Assistant