

GAHC010184472025



2026:GAU-AS:726

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

Case No. : WP(C)/4770/2025

HATEM ALI
S/O A BDULMAJID
VILL- ROWMARI
P.O. ROWMARI BILL,
P.S. DHING
MOUZA- BATADRAZA
DIST. NAGAON, ASSAM-782123

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, REVENUE AND DM (LR) DEPARTMENT, DISPUR, GUWAHATI-
781006.

2:THE DISTRICT COMMISSIONER

NAGAON
P.O. AND DIST. NAGAON
ASSAM
PIN-782001.

3:THE ADDITIONAL DISTRICT COMMISSIONER (REVENUE)

NAGAON
ASSAM- 782001.

4:THE CIRCLE OFFICER

DHING REVENUE CIRCLE

NAGAON

BOKO

DIST. KAMRUP
PIN-781136.

5:MD. BILLAL HUSSAIN
S/O GIAS UDDIN AHMED
VILL- ROWMARI
P.O. ROWMARI BILL
P.S. DHING
DIST. NAGAON
ASSAM
PIN-782123

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

For the petitioner (s) : Ms. S. Jain, Advocate

For the respondent (s) : Mr. S. Dutta, SC, Revenue
Ms. U. Sharma, Govt. Advocate

Date on which judgment is reserved : NA

Date of pronouncement of judgment : 21.01.2026

Whether the pronouncement is of the
Operative part of the judgment? : NA

Whether the full judgment has been
Pronounced? : Yes

JUDGMENT AND ORDER (ORAL)

Heard Ms. S. Jain, the learned counsel appearing on behalf of the petitioner. Mr. S. Dutta, the learned counsel appears on behalf of the Revenue Department and Ms. U. Sarmah, the

learned counsel appears on behalf of the respondent Nos.2 to 4.

2. The petitioner herein has assailed the selection of the respondent No.5 as the Gaon Pradhan of Rowmari village under Batadrava Mouza of Dhing Revenue Circle in the district of Nagaon, Assam.

3. It is relevant to take note of that pursuant to the filing of the instant writ petition, the petitioner filed an application seeking amendment of the writ petition thereby to challenge the impugned order dated 01.08.2025 passed by the Director of Land Records and Surveys, Assam and also for stay of the said order.

4. This Court vide an order dated 05.01.2026 allowed the amendment and directed the petitioner to file the amended writ petition within seven days. It was submitted that there was no amended writ petition filed within the time so permitted vide the order dated 05.01.2026. Under such circumstances, the amended writ petition cannot be accepted.

5. The challenge to the selection of the respondent No.5 as the Gaon Pradhan is primarily on three grounds. First, that the petitioner was not accorded marks as per Clause 6 of the advertisement dated 05.09.2022. Secondly, the respondent No.5 was a government employee working as an Assistant Teacher at

Rowmari Md. Ali High School, and the third is that the respondent No.5 is a member of a political party, i.e. Bharatiya Janata Party (BJP).

6. This Court has duly taken note of the order dated 01.08.2025 passed by the Director of Land Records and Surveys, Assam wherein these three contentions were duly dealt with. A perusal of the said order dated 01.08.2025 reveals that the petitioner was granted 10 marks out of 10 marks on the aspect pertaining to family preference, whereas the respondent No.5 was not granted any marks. On the second question, it is a finding of fact arrived at on the basis of a report dated 18.02.2025 from the Headmaster of Rowmari M.A. High School forwarded by the Inspector of Schools, N.D.C. Nagaon on 24.02.2025, that the respondent No.5 resigned from his teaching position on 08.02.2022 prior to the advertisement. Under such circumstances, the question of the respondent No.5 being a government employee does not arise. The third ground so taken was that the respondent No.5 was a member of a political party, i.e. BJP. A perusal of the order dated 01.08.2025 further reveals that the respondent No.5 had resigned from the primary membership of the BJP on 15.12.2018 and this very aspect was substantiated by a clarification letter dated 05.08.2023 from one Bipin Bora, President, BJP, Batadrava Mandal confirming that the

respondent No.4 ceased to be a member w.e.f. 15.12.2018.

7. Under such circumstances, this Court, therefore, does not find any perversity in the said fact-finding order dated 01.08.2025 to entertain the instant writ petition. Accordingly, the writ petition stands dismissed.

JUDGE

Comparing Assistant