

GAHC010190482025



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

**Case No. : WP(C)/5064/2025**

BISWAJIT RAY AND 16 ORS  
S/O-SANTOSH KUMAR ROY  
VILL-PACHIM KANURI PART-I  
P.O-LAKHIMARI

2: ALOKESH DEBNATH  
S/O-GOPAL DEBNATH  
VILL- PACHIM KANURI PART-II  
P.O-LAKHIMARI

3: BITTU ROY  
C/O-PURNIMA ROY  
VILL-PACHIM KANURI PART-I  
P.O-LAKHIMARI

4: ABDUL REZZAK SARKAR  
S/O-SABED ALI SK  
VILL-LAKHIMARI PART-III

P.O-LAKHIMARI

5: NALESWAR RAY  
S/O-SARAT CHANDRA ROY  
VILL-GAIKHOWA  
P.O-LAKHIMARI

6: MOFIZUL ISLAM  
S/O-SATTAR ALI  
VILL-KEDAR PART-II  
P.O-DIMAKURI

7: NARAYAN ROY

S/O-MANBHOLA ROY  
VILL-PACHIM KANURI PART-I  
P.O-LAKHIMARI

8: BHUMIDHAR BARMAN  
S/O- KSHITISH BARMAN  
VILL- PASCHIM KANURI PT. I

P.O-LAKHIMARI

9: EMANUR RAHMAN  
S/O- FAYEJ UDDIN  
VILL- LAKHIMARI PT. II

P.O- LAKHIMARI

10: JAYANTA MEHATO  
S/O-SOTOLAL MOHOTO  
VILL-PACHIM KANURI PART-I  
P.O-LAKHIMARI

11: DILIP KUMAR ROY  
S/O-BIDHAN CHANDRA ROY  
VILL-PACHIM KANURI PART-I  
P.O-LAKHIMARI

12: NUR ISLAM PARAMANIK  
S/O- SHUKUR ALI PARAMANIK  
VILL-ROUWARKUTI  
P.O-GOLAKGANJ

13: SUKUMAR PRODHANI  
S/O- MUKUNDA PRODHANI  
VILL- PACHIM KANURI PT. I

P.O- LAKHIMARI

14: REJAUL KARIM  
S/O- ABDUL CHEPAT SHEIKH  
VILL- PACHIM GAIKHOWA PT. II

P.O-LAKHIMARI

15: NUR MOSTAFA ANCHARY  
S/O- ABDUL JALIL SHEIKH  
VILL- PACHIM GAIKHOWA PT. II

P.O - LAKHIMARI

16: NAZIM UDDIN AHMED  
S/O- ABDUL JALIL SHEIKH  
VILL-PASHIM GAIKHOWA PT. II

P.O LAKHIMARI

17: MOKTHER RAHMAN PRODHANI  
S/O- AWEL UDDIN PRODHANI  
VILL- LAKHIMARI PT. III

ALL ARE P.S-GOLAKGANJ  
DIST-DHUBRI  
ASSAM  
PIN-78333

VERSUS

THE UNION OF INDIA AND 11 ORS  
REPRESENTED BY THE MINISTRY OF ROAD TRANSPORT AND HIGHWAY  
(TRANSPORT DIVISION, TRANSPORT BHAWAN, 1, PARLIAMENT STREET)  
NEW DELHI-10001

2:THE STATE OF ASSAM  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM  
DISPUR  
GHY-06

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM TRANSPORT  
DEPARTMENT  
DISPUR  
GHY-06

4:THE TRANSPORT COMMISSIONER TO THE GOVT. OF ASSAM  
DISPUR  
GHY- 06

5:THE SUPERINTENDENT OF INTEGRATED CHECK POST (ICP)  
GOLAKGANJ  
DHUBRI  
ASSAM.  
PIN- 783334

6:THE MANAGER  
INTEGRATED CHECK POST (ICP)  
LAND PORTS AUTHORITY OF INDIA  
GOLAKGANJ

P.O AND P.S- GOLAKGANJ  
DHUBRI  
ASSAM- 783334

7:THE DISTRICT COMMISSIONER DHUBRI  
P.O AND P.S- DHUBRI  
ASSAM  
PIN-783301

8:THE ASSISTANT COMMISSIONER (CUSTOM DHUBRI DIVISION) DHUBRI  
P.O AND P.S- DHUBRI  
ASSAM-783301

9:THE SP (CUSTOMS) LCS  
ICP  
GOLAKGANJ  
DIST-DHUBRI  
ASSAM  
PIN- 783334

10:THE SUPERINTENDENT OF LAND CUSTOMS STATION (LCS)  
GOLAKGANJ  
DIST-DHUBRI  
ASSAM  
PIN-783334

11:THE COMMISSIONER OF CUSTOM  
CUSTOM HOUSE  
CRESENSE BUILDING  
M.G ROAD SHILLONG  
MEGHALAYA  
PIN-793001

12:THE SUPERINTENDENT OF POLICE  
DHUBRI  
ASSAM

P.O AND P.S AND DIST- DHUBRI  
ASSAM

PIN-78330

**Advocate for the Petitioner** : MR SISHIR DUTTA, MR A.K. MOLLAH,MR. M HUSSAIN

**Advocate for the Respondent** : DY.S.G.I., SC, TRANSPORT DEPARTMENT, ASSAM,GA, ASSAM

**BEFORE  
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**01.09.2025**

Heard Shri M. Hussain, learned counsel for the petitioners.

The grievance of the petitioners is with regard to plying overloaded vehicles in the area where the petitioners are inhabitants. The petitioners have drawn the attention of this Court to various notifications issued by the appropriate authorities in terms of certain directions of the Hon'ble Supreme Court debarring overloaded vehicles from the use of road.

Ms. MD Borah, learned Standing Counsel, Transport Department has however submitted that the impugned decision is not connected with her Department and is under the Custom Department.

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

Ms. M. Das, learned counsel appearing on instructions of Shri SK Medhi, learned CGC accepts notice on behalf of the respondent no. 1; Shri H. Sarma, learned Additional Senior Government Advocate accepts notice on behalf of the respondent nos. 2, 7 & 12; Ms. MD Borah, learned Standing Counsel, Transport Department accepts notice on behalf of the respondent nos. 3 & 4 and Shri K. Jain, learned counsel appearing on instructions of Shri SC Keyal, learned Standing Counsel, Custom Department accepts notice on behalf of the respondent nos. 6 & 8 to 11. Extra copies of the writ petition be served upon the learned counsel for the respondents by tomorrow.

List this case after 4(four) weeks by reflecting the name of SC-Custom in the

cause-list.

**JUDGE**

**Comparing Assistant**