

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., MR. S K MEDHI(C.G.C),MR. SC KEYAL, SC,
CUSTOMS, (R-6,8,9,10,11),SC, TRANSPORT DEPARTMENT, ASSAM,GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

ORDER

Date : 20.05.2026

Heard Mr. M. Hussain, learned counsel for the petitioners. Also heard Mr. S.K. Medhi, learned CGC for the respondent No. 1; Mr. H. Sarma, learned Additional Senior Government Advocate for the respondent Nos. 2 & 7; Ms. M.D. Bora, learned standing counsel, Transport Department, for the respondent Nos. 3 and 4; and Ms. R. Hussain, learned counsel appearing on behalf Mr. S.C. Keyal, learned Senior Counsel-cum-standing counsel, Customs Department, for the respondent Nos. 8 to 11.

Ms. Hussain, learned counsel appearing for the Customs Department submits that she is yet to receive the copy of the petition to complete her instructions.

Mr. Hussain, learned counsel for the petitioners is directed to serve a copy of the petition to Ms. Hussain, during the course of the day.

Mr. Sarma, learned Additional Senior Government Advocate for the respondent Nos. 2 & 7 has also prayed for some time to complete his instructions and file an affidavit in the instant case.

Let the matter be listed after four weeks.

JUDGE

Comparing Assistant