

GAHC010192422025



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

Case No. : WP(C)/4962/2025

NUR YEASMIN SHEIKH
D/O. NURUL ISLAM SHEIKH, R/O. VILL.- DARBA, P/O.
RADHAMADHABHAT, P/S. MANKACHAR, DIST. SOUTH SALMARA,
ASSAM, PIN-783131.

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE PRINCIPAL SECRETARY/ADDITIONAL CHIEF SECRETARY TO
THE GOVT. OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT
DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
PANJABARI
JURIPAR
GUWAHATI-37
ASSAM.

3:THE SECRETARY
ASSAM STATE ELECTION COMMISSION
PANJABARI
GUWAHATI-37

4:THE DISTRICT COMMISSIONER
SOUTH SALMARA MANKACHAR
HATSINGIMARI
ASSAM
PIN-783135.

5:TANZINA KHAN
W/O. NEKIBUL HUSSAIN KHAN

R/O. VILL.- JHALORCHAR
P/S. MANKACHAR
DIST. SOUTH SALMARA MANKACHAR
ASSAM
PIN-783131.

6:WAHIDUR RAHMAN
S/O. LT. SOFIOR RAHMAN
R/O. VILL.- FEKAMARI
P/S. SOUTH SALMARA
DIST. SOUTH SALMARA MANKACHAR
ASSAM
PIN-783131.

7:THE SOUTH SALMARA MANKACHAR DISTRICT CONGRESS
COMMITTEE
REP. BY ITS PRESIDENT
RAJIV BHAWAN
HATSINGMARI (MAHAMAYA NAGAR)
DIST. SOUTH SALMARA MANKACHAR
ASSAM
PIN-78135

Advocate for the Petitioner : MR. A Z AHMED, MR. R M DEKA,MR. K N CHOUDHURY

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

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

01.09.2025

Heard Shri K. N. Choudhury, learned Senior Counsel assisted by Shri A. Z. Ahmed, learned counsel for the petitioner.

The grievance of the petitioner is with regard to the inaction of the respondent no. 4 in taking appropriate action against the respondent no. 5, who was elected as the Vice President. The petitioner has alleged violation of the provisions of Section 111(3)(ii) read with Section 111(3)(i)(a), 111(3)(i)(b) and 111(3)(i)(c). This Court has however been informed that a similar case filed for

the post of President has been filed and is pending being WP(C)/4617/2025.

Let the **notice** be issued.

Shri S. Dutta, learned Standing Counsel, P&RD accepts notice on behalf of respondent nos. 1 & 2; Shri R. Dubey, learned Standing Counsel, State Election Commission accepts notice on behalf of respondent no. 3 whereas Ms. M. Barman, learned State Counsel accepts notice on behalf of respondent no. 4.

Extra copies of the writ petition be served upon them within 2 (two) days.

Let steps for service of notice upon the respondent nos. 5, 6 & 7 by registered post with A/D within 2 (two) days. Additionally, the learned counsel seeks liberty to serve *dasti* upon the private respondents. Liberty to serve *dasti* is granted which is however required to be routed through the Registry of this Court and the notice accompanying the *dasti* should clearly reflect the next date fixed which is 15.09.2025. Prior to the next date fixed, the petitioner is also required to file an affidavit in proof of such *dasti* service.

It is submitted that the connected case is fixed on 15.09.2025.

List this case along with WP(C)/4617/2025 on **15.09.2025**.

Pendency shall not be a bar for the authority to act on the application of the petitioner in accordance with law.

JUDGE

Comparing Assistant