

GAHC010201382025



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

Case No. : WP(C)/5276/2025

FARIDA BARBHUIYA AND ORS
MEMBER GOBJNDAPUR ALGAPUR AP CONSTITUENCY D/O SAMSUL
ISLAM BARBHUIYA VILL ALGAPUR PART II PS SILCHAR SADAR DIST
CACHAR ASSAM

2: RAJIA BEGUM
MEMBER CHIRIPAR MONIPUR AP CONSTITUENCY W/O ZAKIR HUSSAIN
VIL TOLENGRAM PS LAKHIMPUR DIST CACHAR ASSAM

3: AMIR HUSSAIN LASKAR
MEMBER SONABARIGAHTY AP CONSTITUENCY S/O AFTAB UDDIN
LASKAR VILL SONABARIGHAT PS LAKHIPUR DIST CACHAR ASSAM

4: NURJAHAN MAZUMDER
MEMBER WEST SINGERBOND AP CONSTITUENCY W/O ANAMUL HOQUE
MAZUMDER VILL SINGARBOND PART III PS LAKHIPUR DIST CACHAR
ASSAM

5: RUMI ARA BEGOM MOZUMDER
MEMBER SHIBPUR AP CONSTITUENCY W/O ZUHAB AHMED MAZUMDER
VILL SHIBPUR PART II PS LAKHIPUR DIST CACHAR ASSA

VERSUS

THE STATE OF ASSAM AND ORS
REP BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPTT DISPUR GUWAHATI PIN
7871006

2: THE DISTRICT COMMISSIONER
CACHAR
PO AND PS SILCHAR DIST CACHAR ASSAM PIN 788001

3: THE CHIEF EXECUTVE OFFICER

CACHAR ZILLA PARISHAD PO AND PS SILCHAR DIST CACHAR ASSAM
PIN 788001

4:THE EXECUTIVE OFFICER
BANSKANDI ANCHALIK PANCHAYAT PO BANSKANDI DIST CACHAR
ASSAM PIN 788101

5:THE AUTHORIZED OFFICER
FIRST MEETING HELD ON 30.07.2025 OF BANSKANDI PANCHAYAT C/O
O/O THE DISTRICT COMMISSIONER CACHAR PO AND PS SILCHAR DIST
CACHAR ASSAM 788001

6:SABINA HABIB BARBHUIYA
MEMBER SATKORAKANDI AP CONSTITUENCY C/O O/O THE BANSKANDI
ANCHALIK PANCHAYAT PO BANSKANDI DIST CACHAR ASSAM PIN 788101

7:SULTANA BEGUM MAZUMDAR
MEMBER NEAIRGRAM BAGPUR AP CONSTITUENCY C/O O/O THE
BANSKANDI ANCHALIK PANCHAYAT PO BANSKANDI DIST CACHAR
ASSAM PIN 788101

8:FAROOQ AHMED CHOUDHURY
MEMBER GOBINDAPUR BANSKANDI AP CONSTITUENCY C/O O/O THE
BANSKANDI ANCHALIK PANCHAYAT PO BANSKANDI DIST CACHAR
ASSAM PIN 788101

9:ANJUMANARA NAAJ LASKAR
MEMBER KRISHNAPUR AP CONSTITUENCY C/O O/O THE BANSKANDI
ANCHALIK PANCHAYAT PO BANSKANDI DIST CACHAR ASSAM PIN 788101

10:RIDWAN SAKEEL MAZUMDAR
C/O O/O THE BANSKANDI ANCHALIK PANCHAYAT PO BANSKANDI DIST
CACHAR ASSAM PIN 78810

Advocate for the Petitioner : MR. M K HUSSAIN, MRS. S Y AHMED,MS. F H AHMED,MR. M
ALOM

Advocate for the Respondent : GA, ASSAM, SC, P AND R.D.,FOR CAVEATOR,MR. T A
CHOUDHURY,J NABI

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

10.09.2025

1. Heard Mr. M. K. Hussain, learned counsel for the petitioners. Also heard Mr. T. J. Mahanta, learned Senior Counsel assisted by Mr. T. A. Choudhury, learned counsel respondent Nos. 6, 7, 8 and 9 who entered appearance on caveat.
2. Caveat stands discharged.
3. The grievance of the petitioners is that the 1st meeting of Bankskandi Anchalik Panchayat held on 30.07.2025 was not in accordance with Rule 48 of the Assam Panchayat (Constitution) Rules, 1995 inasmuch as it is the case that two votes casted in favour of the petitioners by two members of Anchalik Panchayat was manipulated by the Block Development Officer i.e. respondent No. 4 resulted in his defeat.
4. Issue notice returnable on 23.10.2025.
5. As the respondent Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 are duly represented through their respective counsels, no formal notice need be issued to the said respondents. However, extra copy of the writ petition be furnished to the learned counsel for the respondents within a period of five days from today by the learned counsel for the petitioners.
6. The petitioners are permitted to take steps for issuance of notice upon the respondent No. 10 by way of registered post with A/D as well as by usual process within a period of five days from today.
7. In addition to, the petitioner is also permitted to take steps by way of dasti service upon the respondent No. 10 after routing the same through the Registry and thereafter to file an affidavit in proof of such service.
8. In the meantime, parties may exchange their pleadings.

9. Ms. M. Barman, learned State counsel shall ensure production of the relevant records of the meeting dated 30.07.2025.
10. The District Commissioner, Cachar as well as the Block Development Officer of Banskandi Development Block, shall preserve the video recording of the meeting.

JUDGE

Comparing Assistant