

GAHC010218322025



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

**Case No. : WP(C)/5704/2025**

MD. ZAHID ALAM  
S/O- HAJI MD. MAQBUL  
R/O- STATION ROAD, TINSUKIA, POLICE STATION- TINSUKIA , DISTRICT-  
TINSUKIA ,ASSAM

VERSUS

THE STATE OF ASSAM AND ORS  
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM, HOME  
DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE DISTRICT MAGISTRATE  
TINSUKIA

3:THE CHAIRMAN  
TINSUKIA MUNICIPAL BOARD  
TINSUKIA  
ASSAM

4:THE SECRETARY  
TO THE GOVT. OF ASSAM REVENUE AND DISASTER MANAGEMENT  
DEPARTMENT  
DISPUR  
GUWAHATI-781006

**Advocate for the Petitioner** : Mr. H. Rahman, Senior Advocate,  
assisted by Mr. B.J. Das

**Advocate for the Respondent** : Mr. J. Handique, SC Revenue Department  
Mr. S.S. Roy, Standing Counsel TMB

**BEFORE  
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**Date : 06.03.2026**

Pursuant to the order passed by this Court on 25.02.2026, an instruction has been placed by Mr. J. Handique, which is kept on record and marked with the letter 'X'.

2. For perusal of the said instruction, it is seen that the Napukhuri had been declared to be protected monument under the provisions of Assam Ancient Monuments and Records Act, 1959. This Court further takes note that on one hand, a stand is being taken by the District Magistrate, Tinsukia that Napukhuri is a protected monument and on the other hand, permissions is also given to certain tribes i.e. Moran and Motak communities to host events within the premises of Napukhuri. The question is as whether such selective actions would be permissible.

2. List this matter again on 10<sup>th</sup> of March, 2026 at 02:00 pm. On the said date, Mr J. Handique, the learned counsel appearing on behalf of the District Magistrate, Tinsukia shall produce before this Court the order dated 20.08.2018 referred to in the communication, which is kept on record and marked with the letter 'X'.

3. A copy of the communication has also been furnished to H. Rahman, the learned Senior Counsel so that he is also in the position to make appropriate submissions on the next date.

**JUDGE**

**Comparing Assistant**