

GAHC010231072024



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

**Case No. : WP(C)/5767/2024**

DHARMENDRA PRASAD SAH  
S/O BHAYAL PRASAD SAH R/O LANKA SHILLONGONI ROAD DIST HOJAI  
PIN 782446 P.O LANKA P.S LANKA ASSAM (PRORIETOR FO ANAMIKA  
ENTERPRISES AND SUBN DEALER OF HONDA COMPANY FOR LANKA  
DIVISION)

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REP BY THE COMMISSIONER SECRETARY TRANSPORT DEPTT DISPUR  
GUWAHATI ASSAM

2:THE TRANSPORT COMMISSIONER DISPUR  
GUWAHATI ASSAM

3:THE DISTRICT TRANSPORT OFFICER KAMRUP (M)  
BETKUCHI GUWAHATI

4:THE DEPUTY DIRECTOR  
HONDA COMPANY CUSTOMER SERVICE HONDA MOTOR CYCLE AND  
SCOOTER INDIA PVT LTD REGIONAL OFFICE 1 ST FLOOR AMAR JYOTI  
BUILDING 10 BELVEDRE ROAD ALIPORE KOLKATA WEST BENGAL 700027  
PHONE 3344013201

5:THE DEPUTY DIRECTOR  
HONDA COMPANY CUSTOMER SERVICE HONDA MOTOR CYCLE AND  
SCOOTER INDIA PVT LTD ZONAL OFFICE KAMAKHYA TOWER G S ROAD  
KAMRUP METRO ASSAM 781005 PHONE 91381718544

**Advocate for the Petitioner** : MS. T SOM, MR H DAS,MS. U HAZARIKA

**Advocate for the Respondent** : SC, TRANSPORT DEPARTMENT, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**11.11.2024**

Heard Mr. R.P. Sarma, learned senior counsel assisted by Ms. T. Som, learned counsel for the petitioner and Ms. M.D. Bora, learned Standing Counsel, Transport Department for the respondent nos. 1, 2 & 3.

Mr. Sarma, learned senior counsel appearing for the petitioner has submitted that the party-respondent no. 3 ought to have been the District Transport Officer, Hojai, Assam instead of District Transport Officer, Kamrup [M], Betkuchi, Guwahati and the said error has been crept in inadvertently. He has submitted that Mr. Sarma, learned counsel for the petitioner may be permitted to file an amended Cause-Title in terms of the Notification no. 79 dated 19.06.2023 within 2 [two] days from today.

The petitioner is permitted to file amended Cause-Title, as sought for, in terms of the Notification no. 79 dated 19.06.2023 and on filing such amended Cause-Title by the learned counsel for the petitioner, the office to carry out necessary corrections in the Cause-Title of the writ petition as well as in the CIS.

The petitioner is assailing the action on the part of the official respondents in cancelling the trade license issued in favour of M/s Anamika Enterprise at Lanka which is a dealership of two-wheelers under the respondent nos. 4 & 5.

Issue notice, returnable on 13.12.2024.

As Ms. Bora, learned Standing Counsel, Transport Department has appeared and accepted notices on behalf of the respondent nos. 1, 2 & 3, issuance of formal notices to the said respondents stands dispensed with. However, the learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with annexures to Ms. Bora within 2 [two] working days from today.

The petitioner shall take steps for service of notice upon the respondent nos. 4 & 5 by registered post with A/D within 2 [two] working days from today.

Ms. Bora, learned Standing Counsel, Transport Department has submitted that the necessary instructions to file counter affidavit have been received and the counter affidavit will be filed on or before the returnable date.

List the case on 13.12.2024.

**JUDGE**

**Comparing Assistant**