

GAHC010242742025



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

Case No. : WP(C)/6429/2025

AZIAL HOQUE
S/O LT. SUBAN SHEIKH, VILL- TAKIMARI, P.O.- HAZIRHAT, P.S.- SUKCHAR,
DIST- SOUTH SALMARA- MANKACHAR, ASSAM, PIN-783128

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPTT., DISPUR, GUWAHATI-6

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

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

4:PRESIDENT
SOUTH SALMARA-MANKACHAR ZILLA PARISHAD
HATSINGIMARI
ASSAM
PIN-783135

5:THE CHIEF EXECUTIVE OFFICER
SOUTH SALMARA-MANKACHAR ZILLA PARISHAD
HATSINGIMARI

ASSAM
PIN-783135

6:THE CIRCLE OFFICER
SOUTH SALMARA REVENUE CIRCLE
P.O.- SOUTH SALMARA
DIST- SOUTH SALMARA-MANKACHAR
ASSAM
PIN-78312

Advocate for the Petitioner : MR. I HAQUE,

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

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

14.11.2025

Heard Mr. I. Haque, learned counsel for the petitioner; Mr. S. Dutta, learned Standing Counsel, Panchayat & Rural Development Department for the respondent nos. 1, 2 & 5 and Mr. J. Handique, learned Junior Government Advocate, Assam for the respondent nos. 3 & 6.

The petitioner has assailed the order dated 27.06.2025 passed by the appellate authority in an appeal preferred by the petitioner. The primary ground of challenge to the appellate order is that the petitioner was not afforded any opportunity of hearing before the disposal of the appeal.

Mr. Dutta, learned Standing Counsel for the Panchayat & Rural Development Department has submitted that there is no necessity to afford a hearing while disposing of an appeal by the appellate authority.

Issue notice, returnable on 12.12.2025.

As Mr. S. Dutta, learned Standing Counsel, Panchayat & Rural Development Department for the respondent nos. 1, 2 & 5 and Mr. J. Handique, learned Junior Government

Advocate, Assam for the respondent nos. 3 & 6 have appeared and accepted notice on behalf of the respondents, issuance of formal notice stands dispensed with. However, the learned counsel for the petitioner shall furnish extra copy of the writ petition in requisite numbers to the respondents within 2 [two] working days from today.

The petitioners shall take steps for service of notice upon the respondent no. 4 through speed post within 2 [two] working days from today.

JUDGE

Comparing Assistant