

GAHC010259332025



undefined

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

Case No. : WP(C)/6666/2025

2 NO SITLABARI SARBAJANIN SHIV MANDIR PARICHALANA SAMITY
REPRESENTED BY THE PRESIDENT, MANTU DEBNATH, S/O MANIK CH.
DEBNATH, AGED ABOUT 50 YEARS, R/O BRICK FIELD (OVER BRIDGE),
LUMDING, P.O. AND P.S. LUMDING, DIST. HOJAI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE CHIEF SECY. TO THE GOVT. OF ASSAM, FINANCE
(ESTABLISHMENT B) DEPTT., DISPUR, GUWAHATI 06

2:THE ADDITIONAL CHIEF SECY. TO THE GOVT. OF ASSAM

HOME AND POLITICAL DEPTT.
DISPUR
GUWAHATI 06

3:THE DIST. COMMISSIONER

HOJAI
ASSAM

4:THE SUPERINTENDENT OF POLICE

DSB
HOJAI
ASSAM

Advocate for the Petitioner : MS S SARMA HAZARIKA, MR. N ISLAM,MR T N SRINIVASAN

Advocate for the Respondent : GA, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

23.04.2026

Heard Shri N. Islam, learned counsel for the petitioner. Also heard Shri S.S. Roy, learned State Counsel as well as Shri A. Chaliha, learned Standing Counsel, Finance Department.

2. Considering the subject matter involved, this writ petition is taken up for disposal at the admission stage.

3. As per the facts projected, the petitioner is a registered Society and with an objective for collecting funds corresponding with the 'Doul Utsav', they had organised a lucky draw in the locality. The petitioner had accordingly applied for permission from the District Commissioner, Hojai to hold the draw on 31.03.2026. However, in spite of the claim of fulfilling the requisite conditions as per the memo dated 11.11.2025, no permission was granted and accordingly, the instant writ petition has been filed.

4. Shri Islam, the learned counsel for the petitioner has submitted that the aspect of lotteries and lucky draw was considered by this Court in WP(C)/6090/2024 which was disposed of vide order dated 30.07.2025. Subsequently, the Finance Department had issued an order dated 11.11.2025 laying down the guidelines. It is submitted that the said guidelines were not taken recourse to and consequently no action has been taken.

5. Shri Roy, the learned State Counsel has however submitted that it clearly appears that the District Administration was not aware of the order dated

11.11.2025 issued by the Finance Department. He fairly submits that a direction can be issued for completing the said lucky draw strictly in terms with the order dated 11.11.2025 which has been issued in accordance with a direction of this Court passed in WP(C)/6090/2024.

6. This Court has carefully perused the order dated 11.11.2025 issued by the Finance Department in the context of the Lotteries (Regulation) Act, 1998 and the Lotteries (Regulation) Rules, 2010. After a threadbare discussion, the Finance Department has laid down certain guidelines for holding lucky draws during certain festivals. It also appears that when the petitioner had requested for permission, the aforesaid guidelines appear to have been overlooked.

7. In view of the above, the Deputy Commissioner, Hojai is directed to consider the application for permission submitted by the petitioner in accordance with the guidelines laid down in the order dated 11.11.2025 and upon such permission, the draw can be held which however has to be strictly in accordance with law.

8. Writ petition accordingly stands disposed of.

JUDGE

Comparing Assistant