

GAHC010264652025



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

Case No. : WP(C)/7197/2025

SAMSUL HOQUE AND 4 ORS
S/O- SARFAT ALI, R/O- VILL.- NAGABANDA, P.O. NAGABANDA, P.S.
LAHARIGHAT, DIST. MORIGAON, ASSAM, PIN- 782106.

2: TASLIMA NASRIN
D/O SOFIQUL ISLAM
R/O- VILL.- NAGABANDA
P.O. NAGABANDA
P.S. LAHARIGHAT
DIST. MORIGAON
ASSAM
PIN- 782106.

3: KASUM UDDIN
D/O MONIR UDDIN
R/O- VILL.- NAGABANDA
P.O. NAGABANDA
P.S. LAHARIGHAT
DIST. MORIGAON
ASSAM
PIN- 782106.

4: NAJIMA KHATUN
W/O ABDUL HAKIM
R/O- VILL.- NAGABANDA
P.O. NAGABANDA
P.S. LAHARIGHAT
DIST. MORIGAON
ASSAM
PIN- 782106.

5: ABU BAKKAR CHIDDIK
S/O MICHUDDIN
R/O- VILL.- NAGABANDA

P.O. NAGABANDA
P.S. LAHARIGHAT
DIST. MORIGAON
ASSAM
PIN- 782106

VERSUS

THE STATE OF ASSAM AND 6 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVT. OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT
DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE COMMISSIONER

PANCHAYAT AND RURAL DEVELEOPMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI- 781022.

3:THE DISTRICT COMMISSIONER
MORIGAON
ASSAM
PIN -782105.

4:THE BLOCK DEVELOPMENT OFFICER
LAHARIGHAT DEVELOPMENT BLOCK
LAHARIGHAT
MORIGAON
PIN-782105.

5:THE CHIEF EXECUTIVE OFFICER
HOJAI ZILLA PARISHAD
DIST. MORIGAON
ASSAM
PIN-782105.

6:THE DISTRICT ELECTION RETURNING OFFICER/ AUTHORIZED OFFICER
MORIGAON
OFFICE OF THE DISTRICT COMMISSIONER
MORIGAON
PIN- 782105.

7:APSARA BEGUM
W/O SHAHIDUL ISLAM
R/O VILL. NAGABANDHA
P.O. NAGABANDHA

P.S. LAHARIGHAT
DIST. MORIGAON
ASSAM
PIN-78210

Advocate for the Petitioner : DARAK ULLAH, MRS S N KHANDAKAR,MR. M A LASKAR,MS A HUSSAIN,SABRISH AHMED

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

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

16.12.2025

Heard Shri S. Ahmed, learned counsel for the petitioners, who is aggrieved by the election of the respondent no. 7 as Ward Member of the 54 No. Nagabanda Gaon Panchayat in the district of Morigaon.

It is the case of the petitioners that the said respondent no. 7 is disqualified under Section 111 (2) (f) of the Assam Panchayat Act, 1994 r/w Rule 62 (4) (c) of the Assam Panchayat (Constitution) Rules, 1995. He has also contended that an application has been submitted before the District Commissioner, Morigaon on 01.08.2025 which has not been acted upon.

Let notice be issued, returnable on 21.01.2026.

Ms. P. Thapa, learned counsel accepts notice on behalf of the respondent nos. 1, 2, 4 and 5 whereas Shri N. Das, learned State Counsel accepts notice on behalf of the respondent nos. 3 and 6.

Extra copies of the writ petition be served upon the learned counsel for

the respondents by tomorrow, i.e., 17.12.2025.

Steps for service of notice upon the respondent no. 7 be taken by speed post with A/D.

Steps within 2 (two) working days.

Pendency of this writ petition shall not be a bar for consideration and disposal of the representation in accordance with law.

JUDGE

Comparing Assistant