

GAHC010277652025



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

Case No. : WP(C)/7207/2025

NORTH EAST HEAVY GOODS CARRIES TRUCK OWNERS AND DRIVERS
WELFARE ASSOCIATION AND ANR
HAVING ITS HEAD OFFICE AT NH 37 BASISTHA CHARIALI, GUWAHATI,
ASSAM, PIN 781029, REPRESENTED BY ITS PRESIDENT MR. TRIDEEP
KALITA, AGED ABOUT 46 S/O RATI KANTA DAS, PRESENTLY RESIDING AT
SIX MILE, VIP ROAD, ASHIYANA ENCLAVE, FLAT NO. 504, GUWAHATI
781022

2: M/S FRIENDS TRANSPORT AGENCY
REP. BY ITS EMPLOYEE
JYOTIRMOY CHOUDHURY
AGED ABOUT 35 YEARS
C/O NAGEN CHOUDHURY
RESIDENT OF PARAKUCHI
MONIARI TINIALI
DIST KAMRUP M ASSAM 78112

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE ADDL. CHIEF SECY. TO THE GOVT. OF ASSAM,
HOME AND POLITICAL DEPTT. JANATA BHAWAN 2ND FLOOR, 1 BLOCK,
DISPUR, GUWAHATI 781006

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM HOME AND POLITICAL DEPARTMENT
JANATA BHAWAN
2ND FLOOR
I BLOCK
DISPUR GUWAHATI 781006

3:THE DIRECTOR GENERAL OF POLICE

ASSAM POLICE HEADQUARTERS

ULUBARI GUWAHATI 781007

4:THE SUPERINTENDENT OF POLICE
KOKRAJHAR DISTRICT
NEAR JAIL
KOKRAJHAR
ASSAM 783370

5:THE OFFICER IN CHARGE.
GOSSAIGAON
PS GOSSAIGAON
KOKRAJHAR DISTRICT ASSAM
783361

6:THE IN CHARGE

SIMALTAPU POLICE OUTPOST
PS GOSSAIGAON
GOSSAIGAON
KOKRAJHAR
ASSAM 783361

7:THE COMMISSIONER AND SECRETARY
TO THE UNION OF INDIA
MINISTRY OF COAL
ROOM NO. 317-A
SHASTRI BHAWAN
DR. RAJENDRA PRASAD MARG
NEW DELHI 110001

8:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT.OF ASSAM
MINES AND MINERALS
GOVT. OF ASASM
JANATA BHAWAN
2ND FLOOR
I BLOCK
DISPUR GUWAHATI 781006

9:THE DIRECTOR OF MINERAL RESOURCES

MINING AND GEOLOGY DEPT. GOVT. OF MEGHALAY

For the Petitioner(s) : Mr. Y. S. Mannan, Advocate

For the Respondent(s) : Mr. M. Chetia, Government Department

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 16.12.2025

Issue notice making it returnable on 19.12.2025.

2. Mr. M. Chetia, the learned Government Advocate appears on behalf of the Respondent Nos. 1 to 5 and accepts notice.
3. As the Respondent Nos. 1 to 5 are duly represented, extra copies of the writ petition be served upon him during the course of the day.
4. As regards the Respondent Nos. 6 to 9, this Court is of the opinion that the presence of the said Respondents are not necessary for an effective adjudication of the instant proceedings.
5. Accordingly, the names of the Respondent Nos. 6 to 9 are struck off.
6. The learned counsel for the Petitioners is directed to file a fresh Memo of Parties before the Registry of this Court by 17.12.2025 and the Registry on the basis thereof, shall make necessary correction in the Cause Title as well as update the same in the CIS.
7. The grievance of the Petitioners herein is that the members of the petitioner association carry on the business of transportation of coal. In this regard, a coal-laden truck bearing Registration No. UP-53-ET-1687 was destined from Meghalaya to Bihar. However, the Respondent No.5 has not permitted the vehicle to proceed since 04.12.2025. It is the contention of the Petitioners that all the necessary documents have been provided to the officials of the Gossaigaon Police Station however the

officials of the Gossaigaon Police Station have not released the vehicle.

8. The learned counsel for the Petitioners further submitted that not only the officials of the Gossaigaon Police Station have not released the vehicle but also have not seized the vehicle or taken any steps as required under the authority of law if a vehicle is required to be withheld. It is under such circumstances, the Petitioners have approached this Court by filing the present writ petition.

9. Mr. M. Chetia, the learned Government Advocate appearing on behalf of the Respondent Nos. 1 to 5 shall obtain instructions as to why the vehicle of the Petitioners has been withheld and as to whether the vehicle in question has been seized by issuance of proper documents.

10. List accordingly.

JUDGE

Comparing Assistant