

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 BASISHTA 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 4 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  
78336

**Advocate for the Petitioner** : MR. Y S MANNAN, MR. K N CHOUDHURY,MS M KAKOTY,R  
SARMAH,MD IMRAN,MR. S RAHMAN,MR S M ABDULLAH P

**Advocate for the Respondent** : DY.S.G.I., GA, ASSAM

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

**ORDER**

**09.01.2026**

Heard Shri K.N. Choudhury, learned Senior Counsel assisted by Shri R. Sharma, learned counsel for the petitioner.

The matter pertains to detention of a vehicle of the petitioner which according to the petitioner has been done without any reasonable ground and in total disregard of the law. The petitioner has also filed an additional affidavit today which is placed on record. He has however fairly informed that after filing of this case, the vehicle has been released and in the meantime, almost a month has elapsed.

Shri S.R. Baruah, learned State Counsel has placed on record a communication issued by the Senior Superintendent of police, Kokrajhar.

On a consideration of the facts and circumstances of the case, this Court is of the *prima facie* opinion that the impugned action smacks of high-handedness. The concerned Sr. Superintendent of Police is accordingly required to file a detailed affidavit regarding the reasons for such detention and the consequent action taken against the erring officials, if any. Such affidavit is required to be filed on or before 16.02.2026 on which date, the matter is to be listed for consideration.

Written instructions dated 18.12.2025 is kept with the records.

**JUDGE**

**Comparing Assistant**