

GAHC010281402025



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

Case No. : I.A.(Civil)/4135/2025

KRISHNASHRAM SHIV MANDIR TRUST
NAGAON, ASSAM, A DULY CONSTITUTED TRUST UNDER THE
REGISTRATION ACT, 1908 VIDE TRUST DEED NO. 2025/IGR063/4/197 DATED
7/7/2025 IN CONNECTION WITH REGISTERED TRUST DEED NO. 5823 DTD.
20/4/1970 BY WHICH KRISHNASHRAM SHIVA MANDIR TRUST WAS
FORMED AND REGISTERED WITH ITS HEAD OFFICE AT NAGAON TOWN,
DISTRICT- NAGAON, ASSAM, REPRESENTED BY ITS PRESIDENT ALOK
GOSWAMI, AGE 69 YEARS, S/O- LATE KUSHA DEV GOSWAMI R/O-
B.M.ROAD, AMOLAPATTY, P.O.- NAGAON, P.S.- SADAR, DISTRICT-
NAGAON, ASSAM, PIN- 782001

VERSUS

THE STATE OF ASSAM AND 7 ORS
, REPRESENTED BY THE COMMISSIONER SECRETARY TO THE GOVT. OF
ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, DISPUR,
GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY GENERAL ADMINISTRATION
DEPARTMENT
DISPUR
GUWAHATI -06.

3:DISTRICT COMMISSIONER
NAGAON
ASSAM
PIN-782001

4:ADDITIONAL DISTRICT COMMISSIONER
NAGAON
ASSAM
PIN -782001.

5:MR DHRUBAJYOTI SARMAH
CHAIRMAN
NAGAON DEVELOPMENT AUTHORITY
NAGAON
ASSAM.PIN -782001

6:SUDEEP NATH ACS
ADDITIONAL DISTRICT COMMISSIONER
NAGAON
ASSAM
PIN-782001

7:BHASKAR CHOUDHURY ACS
ASSISTANT COMMISSIONER
NAGAON
ASSAM
PIN -782001

8:NABA GOSWAMI
S/O- LATE SARAT CHANDRA GOSWAMI
R/O AMOLAPATTY
P.O- NAGAON
DISTRICT -NAGAON
ASSAM
PIN - 78200

Advocate for the Petitioner : MR. P MAHANTA, C SARMA,MS. P SAHARIA

Advocate for the Respondent : GA, ASSAM, SC, GAD,SC, REVENUE

Linked Case : WP(C)/6868/2025

KRISHNASHRAM SHIV MANDIR TRUST
NAGAON
ASSAM
A DULY CONSTITUTED TRUST UNDER THE REGISTRATION ACT
1908 VIDE TRUST DEED NO. 2025/IGR063/4/197 DATED 7/7/2025 IN
CONNECTION WITH REGISTERED TRUST DEED NO. 5823 DTD. 20/4/1970 BY
WHICH KRISHNASHRAM SHIVA MANDIR TRUST WAS FORMED AND
REGISTERED WITH ITS HEAD OFFICE AT NAGAON TOWN
DISTRICT- NAGAON
ASSAM

REPRESENTED BY ITS PRESIDENT ALOK GOSWAMI
AGE 69 YEARS
S/O- LATE KUSHA DEV GOSWAMI R/O- B.M.ROAD
AMOLAPATTY
P.O.- NAGAON
P.S.- SADAR
DISTRICT- NAGAON
ASSAM
PIN- 782001

VERSUS

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REPRESENTED BY ITS COMMISSIONER AND SECRETARY TO THE GOVT. OF
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R/O AMOLAPATTY
P.O- NAGAON
DISTRICT -NAGAON
ASSAM
PIN - 782001

Advocate for : MR. P MAHANTA
Advocate for : SR. GA
ASSAM appearing for THE STATE OF ASSAM AND 7 ORS

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

18.12.2025

Heard Mr. P Mahanta, learned counsel for the petitioner and Mr. S S Roy, learned State counsel for the respondents.

This is an application praying for stay of the notice dated 11.12.2025 issued by the Additional District Commissioner, Nagaon, whereby a meeting is scheduled to be held on 18.12.2025 at 4:00 PM for reconstitution of the Managing Committee/Board of Trustees of Krishna Asram Shiv Mandir, Nehrubali, Kollongpar, Nagaon and to nominate trustee and office bearer in accordance with Clause 6 (A) (1) of the Trust Deed (Regd.) of the said Trust.

The petitioner has filed the connected WP(C) No. 6868/2025 challenging the earlier notice dated 03.11.2025 passed by the Additional District Commissioner, Nagaon, fixing a meeting for reconstitution of the Managing Committee/Board of Trustees of Krishna Asram Shiv Mandir, Nehrubali, Kollongpar, Nagaon and the consequent decision dated 07.11.2025, wherein this Court issued a notice of

motion on 05.12.2025 returnable by four weeks, with an observation that the interim prayer shall be considered on the returnable date.

By the present impugned notice dated 11.12.2025, the Additional District Commissioner, Nagaon appears to have hurriedly scheduled a meeting to be held on 18.12.2025 at 4:00 PM for reconstitution of the Managing Committee/Board of Trustees of said Krishna Asram Shiv Mandir, Nehrubali, Kollongpar, Nagaon again, despite the knowledge of the pendency of the writ petition.

This Court having perused the impugned notice and also considering that in the connected writ petition the earlier notice for meeting and the consequent decision of the respondents having been put to challenge pending return of the notice, is of the view that the Additional District Commissioner, Nagaon ought not to have rushed to hold a meeting for reconstitution of the Managing Committee/Board of Trustees of the said Mandir when the matter is in seisin of this Court wherein a notice of motion was issued on 05.12.2025 returnable by four weeks.

In view of the above, I am of the considered view that an interim order is called for. Accordingly, the notice dated 11.12.2025 passed by the Additional District Commissioner, Nagaon shall remain suspended till 20.01.2026.

List this matter on **20.01.2026**.

The learned State counsel be provided with a copy of this order for onward communication to the Additional District Commissioner, Nagaon.

JUDGE

Comparing Assistant