GAHC010210902026

undefined

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

Case No. : I.A.(Civil)/3575/2026

NIRANJAN MANDAL
S/O LATE GANESH MANDAL
R/O VILLAGE - BHURBANDHA NO.1
P.O BOGAMUKH
P.S RUPAHIHUT
DISTRICT NAGAON
ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF HEALTH FAMILY WELFARE
DISPUR
GUWAHATI - 781006

2:THE DIRECTOR OF HEALTH SERVICES FW
ASSAM
HENGRABARI ROAD
HENGRABARI
GUWAHATI-781036.

3:THE JOINT DIRECTOR OF HEALTH SERVICES
NAGAON
ASSAM TRUNK ROAD
HAIBARGAON
NAGAON
ASSAM 782001.

4:THE ASSISTANT COMMISSIONER
KALIABOR SUB-DIVISION
KALIABOR
DISTRICT NAGAON

ASSAM.

5:RUMA CHAKDAR
D/O BIKRAMJIT CHAKDAR
W/O LATE APRAJIT MANDAL
R/O PACHIM AMRAKANDA
MOUZA SAIDORIA
P.O GORAJAN BAZAR
P.S RUPAHIHAT
PIN - 782125
DISTRICT NAGAON
ASSAM.

6:THE DISTRICT COMMISSIONER
NAGAON CUM DISTRICT REGISTRAR OF BIRTHS DEATHS
NAGAON
OLD TRUNK ROAD
CHRISTIANPATTY
NAGAON
ASSAM 782001.

Advocate for : MR S M ABDULLAH P

Advocate for : SC
HEALTH appearing for THE STATE OF ASSAM AND ORS.

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 07.10.2026

Heard Ms. F. Hussain, learned counsel for the applicant; Ms. S. Sharma, learned Standing Counsel, Health & Family Welfare Department for the opposite party nos. 1 – 3; and Mr. H.K. Hazarika, learned Junior Government Advocate, Assam for the opposite party nos. 4 & 6.

2. The applicant is the writ petitioner in the accompanying writ petition, W.P. [C] no. 5270/2026.

3. The instant interlocutory application has been filed by the applicant-writ

petitioner seeking impleadment of the following authority –

'the District Commissioner, Nagaon-cum-
District Registrar of Births & Deaths, Nagaon,
Old Trunk Road, Chrishtianpatty, Nagaon, Assam – 782001'

-as party-respondent no. 6 in the accompanying writ petition.

4. The applicant-writ petitioner has preferred the accompanying writ petition seeking issuance of death certificate with regard to the death of the son of the applicant-writ petitioner under the provisions of the Registration of Births and Deaths, Act, 1969. It is averred that as the afore-mentioned authority is a necessary party in the accompanying writ petition and inadvertently the said authority has not been made a party-respondent in the accompanying writ petition, the instant interlocutory application has been preferred.

5. The learned counsel appearing for the opposite parties have submitted that they have no objection if the interlocutory application is allowed.

6. Having regard to the subject-matter in the accompanying writ petition and the statements and averments made in the interlocutory application, this Court is of the considered view that for adjudication of the issues involved in the accompanying writ petition, the aforementioned authority whose impleadment has been sought as party-respondent no. 6 in the accompanying writ petition is a necessary party and therefore, the instant interlocutory application is allowed.

JUDGE

Comparing Assistant