GAHC010221452026

2026:GAU-AS:15700

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

**Case No. : WP(C)/5538/2026**

JIYAUR RAHMAN AND ANR
S/O LT. KERAMAT ALI, R/O VILLAGE JANGALPARA, P.O JANGALPARA, P.S KHRUAPETIA, DISTRICT DARRANG, ASSAM PIN 784116

2: SADDAM HUSSAIN
S/O SOYED ALI
R/O VILLAGE NO 1 CHOKONMATI
P.O BECHIMARI
P.S DALGAON
DISTRICT DARRANG ASSAM PIN 78451

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI 6

2:THE DISTRICT COMMISSIONER
DARRANG
MANGALDAI
DISTRICT DARRANG
ASSAM
PIN 784125

3:THE EXECUTIVE OFFICER
BECHIMARI ANCHALIK PANCHAYAT
DISTRICT DARRANG
ASSAM
PIN 784514

4:THE BECHIMARI ANCHALIK PANCHAYAT

REPRESENTED BY ITS PRESIDENT

DISTRICT DARRANG
ASSAM
PIN 784514

5:SHAHIDUL ISLAM
S/O ABDUL AZIZ
R/O VILL BECHIMARI
P O BECHIMARI
DISTRICT DARRANG
ASSAM
PIN 784514

6:YASIN ALI
S/O LATE MUNSER ALI
R/O VILL NO 4 BURAJHAR
P O DALGAON
DISTRICT DARRANG
ASSAM
PIN 784116

7:ABDUL RAHMAN
S/O BALAUDDIN
R/O VILL NODIR KASH
P O DALGAON
DISTRICT DARRANG
ASSAM
PIN 784116

8:MAHMUD HUSSAIN
S/O MUKTAR HUSSAIN
R/O VILLAGE NO 3 CHIKONMATI
P O DALGAON
DISTRICT DARRANG
ASSAM
PIN 78411

For the Petitioner(s) : Mr. F.K.R. Ahmed, Advocate

For the Respondent(s) : Mr. G. Bokolial, Govt. Advocate
Mr. S. Dutta, Standing Counsel

**BEFORE**
**HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

**ORDER**

**Date : 14.10.2026**

Heard Mr. F.K.R. Ahmed, the learned counsel for the petitioners. Mr. G. Bokolial, the learned Government Advocate appears on behalf of the District Administration and Mr. S. Dutta, the learned Standing Counsel appears on behalf of the P&RD Department.

2. The present writ petition has been filed by the petitioners challenging the order dated 01.07.2026 whereby the respondent Nos. 5, 6, 7 and 8 have been named as associates for the collection of tolls from the haats/parkings falling under the Bechimari Anchalik Panchayat.

3. It is the case of the petitioners that the action of the respondents in issuing the order dated 01.07.2026 is contrary to the order dated 04.12.2024 passed by this Court in WP(C) No. 6022/2024.

4. This Court issued notice on 09.10.2026. Today, Mr. S. Dutta, the learned Standing Counsel for the P&RD Department has placed instructions dated 12.10.2026 issued by the Executive Officer, Bechimari Anchalik Panchayat which are kept on record and marked with the letter "X".

5. From a perusal of the said instructions, it is apparent that the Daily Vegetable Market and the Weekly Cattle Market under

the Bechimari Anchalik Panchayat are run by Mr. Abdur Rahim (regular tax collector) and Mr. Nur Mohammad Ali (regular departmental staff) respectively. The respondent Nos. 5, 6, 7 and 8 have been engaged only on a temporary daily wage basis at Rs. 500/- per day, strictly in accordance with the resolution of the Standing Committee. The resolutions, along with the bank details, details of toll collection and details of payments made to the respondent Nos. 5, 6, 7 and 8 have also been enclosed with the said instructions.

6. Considering the above, this Court does not find that the law laid down in the judgment and order dated 29.11.2024 passed in WP(C) No. 5993/2024 in the case of ***Farida Khanom Vs. State of Assam & Others reported in 2024:GAU-AS:11948*** is infringed in the present proceedings. There is also no violation to Section 105(5) of the Assam Panchayat Act, 1994.

7. In that view of the matter, this Court is not inclined to entertain the instant writ petition. Accordingly, the writ petition stands dismissed.

**JUDGE**

**Comparing Assistant**