GAHC010228762026

2026:GAU-AS:15564

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

**Case No. : WP(C)/5721/2026**

MUSST SAFIA NUR BEGUM
D/O- LATE NUR MAHAMMAD R/O- JAMUGURI, P.O. ALITANGANI P.S. JURIA, DISTRICT. NAGAON, ASSAM 782124.

VERSUS

THE STATE OF ASSAM AND ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, TO THE GOVT. OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, ASSAM SECRETARIAT CIVIL, DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY

TO THE GOVT. OF ASSAM
HEALTH AND FAMILY WELFARE A DEPARTMENT
ASSAM SECRETARIAT CIVIL
DISPUR
GUWAHATI-781006.

3:THE DISTRICT COMMISSIONER

NAGAON
ASSAM 782001.

4:THE ADDITIONAL DISTRICT COMMISSIONER
NAGAON
ASSAM 782001.

5:JOINT DIRECTOR OF HEALTH SERVICES

NAGAON
ASSAM 782001.

6:THE REGISTRAR OF BIRTH AND DEATH
DAGAON
BLOCK PRIMARY HEALTH CENTRE
ASSAM.

7:NUR HELIM MIR
S/O- LATE NUR MOHAMMAD
R/O- JAMUGURI
P.O. ALITANGANI P.S. JURIA
DISTRICT. NAGAON
ASSAM 782124

8:NUR HAMID
S/O- LATE NUR MOHAMMAD
R/O- JAMUGURI
P.O. ALITANGANI P.S. JURIA
DISTRICT. NAGAON
ASSAM782124

9:NUR SELIM
S/O- LATE NUR MOHAMMAD
R/O- JAMUGURI
P.O.ALITANGANI P.S. JURIA
DISTRICT. NAGAON
ASSAM 782124.

10:NUR HALIM
S/O- LATE NUR MOHAMMAD
R/O- JAMUGURI
P.O. ALITANGANI P.S. JURIA
DISTRICT. NAGAON
ASSAM 782124

11:MUSTT NUR MABASHIRA
D/O- LATE NUR MOHAMMAD
R/O- JAMUGURI
P.O. ALITANGANI P.S. JURIA
DISTRICT. NAGAON
ASSAM 782124

12:MD DILDAR HUSSAIN
S/O- MD. SAFARUDDIN
R/O- DATIALBORI
P.O. DATIALBORI
P.S. LAHARIGHAT
DISTRICT MORIGAON
ASSAM 782126.

13:THE MEDICAL OFFICER
DAGAON BLOCK PHC
NAGAON
ASSAM 782124.

14:THE PRESIDENT PUB-JAMUGURI KOBARISTHAN
VILL. JAMAGURI
-8- ANCHOLIK P.O. ALITANGANI
DISTRICT NAGAON. ASSAM 782124.

15:MD RUSTAM ALI
THE VILLAGE HEADMAN
VILLAGE JAMAGURI
P.O. HATIJUJUWA. DISTRICT NAGAON
ASSAM 782122

**Advocate for the Petitioner** : MR. K SINGHA, G L BORA,M DEVI

**Advocate for the Respondent** : SC, REVENUE, GA, ASSAM,SC, HEALTH

**BEFORE**
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**14.10.2026**

Heard Mr. K. Singha, learned counsel for the petitioner; Ms. N. Bordoloi, learned Standing Counsel, Revenue Department, Government of Assam for the respondent no. 1; Mr. D. Upamanyu, learned Standing Counsel, Health and Family Welfare Department, Government of Assam for the respondent nos. 2, 5 & 6; and Mr. B.J. Talukdar, learned Senior Counsel assisted by Mr. P.K. Medhi, learned Junior Government Advocate, Assam for the respondent nos. 3 & 4.

Having gone through the statements and averments made in this writ petition and materials on record, it prima facie appears that the petitioner has belatedly obtained a Death Certificate on 30.08.2024 whereas the petitioner's brother obtained the Death Certificate on 10.08.2018. The death certificates were issued as regards the death of Nur Nahar Begum, who was the mother of the petitioner. According to the petitioner, Nur

Nahar Begum died on 10.04.2018 and as per the information provided by the petitioner's brother to obtain the Death Certificate, Nur Nahar Begum died on 01.01.2018. It is after the issuance of the Death Certificate earlier in 2018, the petitioner applied for the Death Certificate after six years in 2024. The Death Certificate issued to the petitioner was cancelled on 16.09.2025. Since the writ petition under Article 226 of the Constitution of India is a public law remedy and is not a recourse for any private remedy, this Court is of the prima facie view that the petitioner has arraigned a number of persons as private respondents who are neither proper parties nor necessary parties.

At this stage, Mr. Singha, learned counsel for the petitioner has sought leave to withdraw the writ petition with liberty.

In view of the above submission made by Mr. Singha, the writ petition is allowed to be withdrawn, with the liberty.

**JUDGE**

**Comparing Assistant**