

GAHC010041992024



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

**Case No. : WP(C)/1412/2024**

PANKAJ CHOUDHURY AND 5 ORS  
S/O- LATE MAHESWAR CHOUDHURY, R/O- VILL AND P.O. BAHJANI, P.S.  
AND DIST.- NALBARI, ASSAM, PIN- 781334

2: NURUL HAQUE  
S/O- LATE MATLEB ALI  
R/O- VILL- PASCHIM KHATAR KALAKUCHI  
P.O. DEHAR KALAKUCHI  
P.S. MUKALMUA  
DIST.- NALBARI  
ASSAM  
PIN- 781310

3: JOYNAL ABEDIN  
S/O- LATE ABDUL KADER  
R/O- VILL- KAPLABARI NO.1  
P.O. KAPLABARI  
P.S. MUKALMUA  
DIST.- NALBARI  
ASSAM  
PIN- 781138

4: DIGANTA RAJBONGSHI  
S/O- NARESWAR RAJBONGSHI  
R/O- VIL AND P.O. NIJ PAKOWA  
P.S. BELSOR  
DIST.- NALBARI  
ASSAM  
PIN- 781353

5: AINUL AHMED  
S/O- MD. HASEN ALI  
R/O- VILL AND P.O. BURINAGAR  
P.S. AND DIST.- NALBARI

ASSAM  
PIN- 781341

6: RITUMANI BAISHYA  
S/O- TARUN BAISHYA  
R/O- VILL- NIZ PAKOWA  
P.O. PAKOWA  
P.S. BELSOR  
DIST.- NALBARI  
ASSAM  
PIN- 78135

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, DEPARTMENT OF HOME, DISPUR, GUWAHATI-  
06

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
B.K. KAKATI ROAD  
ULUBARI  
GUWAHATI-07

3:THE DIRECTOR GENERAL OF CIVIL DEFENCE AND COMMANDANT  
GENERAL  
OF HOME GUARDS  
ASSAM  
BELTOLA  
GUWAHATI-28

4:THE DISTRICT COMMANDANT OF HOME GUARDS OF NALBARI  
ASSAM  
PIN- 781335

5:THE SUPERINTENDENT OF POLICE  
DISTRICT- NALBARI  
ASSAM  
PIN- 78133

**Advocate for the Petitioner : MR. R Deka**

**Advocate for the Respondent : GA, ASSAM**

**BEFORE**  
**HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR**  
**O R D E R**

**13.03.2024**

Heard Mr. S.I. Akand, learned counsel for the petitioner. Also heard Mrs. M. Bhattacharjee, learned Additional Senior Government Advocate, Assam for all the respondents.

**2.** The petitioners are trained Home Guard volunteers and they were performing duties under the District Police Administration, Nalbari, Assam. The respondents issued a list of essential Home Guards of Nalbari district consisting of 172 Homeguards.

**3.** The grievance of the petitioners is that as they are trained Home Guard volunteers, their names should also be enlisted in the said essential list of Home Guards of Nalbari district. To that effect, the petitioners made a representation dated 27.12.2023 addressed to the Director General of Police, Ulubari, Assam. A reminder was also issued on 02.01.2024 before the Director General and Commandant General, Home Guards, Assam.

**4.** A perusal of the representation dated 27.12.2023 and the reminder dated 02.01.2024 indicates that the representation as well as the reminder has been made to the wrong authority.

**5.** Accordingly, the petitioners are directed to file a fresh representation before the respondent No.3/Director General of Civil Defence and Commandant General of Home Guards, Assam, Beltola within a period of two weeks from today. Thereafter, on receipt of the representation, the respondent No.3 shall consider and dispose of

the same by a speaking order and in accordance with law within a period of two months from the date of receipt of the representation to be made by the petitioners.

**6.** With the above observations and directions, this writ petition is disposed of.

**JUDGE**

**Comparing Assistant**