

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
ORDER

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