

GAHC010017262024



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

Case No. : I.A.(Civil)/278/2024

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS (PETA) INDIA
REPRESENTED BY ONE OF ITS DIRECTOR
KHUSHBOO GUPTA
AGED ABOUT 35 YEARS
WIFE OF SHUBHAM SACHDEVA
PRESENTLY WORKING AS DIRECTOR OF ADVOCACY PROJECTS IN
PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS (PETA)
INDIA
HAVING ITS REGISTERED OFFICE AT F-110
1ST FLOOR
JAGDAMBA TOWER
PLOT NO. 13
COMMUNITY CENTRE
PREET VIHAR
NEW DELHI- 110092.

VERSUS

THE STATE OF ASSAM AND 2 ORS.
REPRESENTED BY ITS CHIEF SECRETARY
GOVERNMENT OF ASSAM
BLOCK-C
3RD FLOOR
ASSAM SACHIVALAYA
DISPUR- 781006
GUWAHATI

2:COMMISSIONER AND SECRETARY
HOME AND POLITICAL DEPARTMENT
GOVERNMENT OF ASSAM
2ND FLOOR
CMS BLOCK
ASSAM SECRETARIAT

DISPUR
GUWAHATI-6

3:ANIMAL WELFARE BOARD OF INDIA
THROUGH DR. O.P. CHAUDHARY
CHAIRMAN
AWBI AND JOINT SECRETARY
MOFAHD
42 KM STONE
DELHI-AGRA HIGHWAY
NATIONAL HIGHWAY-2
VILLAGE- SEEKRI BALLABHGARH
FARIDABAD
HARYANA- 121004 INDIA

Advocate for : MR. D DAS SR. ADV
Advocate for : GA ASSAM appearing for THE STATE OF ASSAM AND 2 ORS.

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 06.02.2024

Heard Mr. D. Das, learned Senior Counsel assisted by Mr. D.J. Das & Ms. A. Kadia, learned counsel for the applicant-writ petitioner and Mr. D. Nath, learned Senior Government Advocate, Assam for the opposite party-respondent nos. 1 & 2.

2. Mr. Das, learned Senior Counsel has submitted that pursuant to the order dated 01.02.2024, the applicant-writ petitioner submitted a representation before the District Commissioner, Nagaon stating the details where a Buffalo Fight [Moh-Juj] was proposed on 04.02.2024.

3. Mr. Nath, learned Senior Government Advocate, Assam has placed a Communication bearing no. NMM 28/2023/300 dated 05.02.2024, addressed to him by the District Commissioner, Nagaon. Mr. Nath has further submitted that the office of the District Commissioner, Nagaon obtained a Report from the Superintendent of Police, Nagaon wherein it is reported that no Buffalo Fight [Moh-Juj] was organized on 04.02.2024 and 05.02.2024 at

Hatigarh Singimari Pathar, District – Nagaon. It is further reported by the Superintendent of Police, Nagaon, a copy of which has also been enclosed therewith, that the organizer did not seek any permission for holding Buffalo Fight [Moh-Juj] in any area within Hatigarh Singimari Pathar, District – Nagaon.

4. Mr. Das, learned Senior Counsel has submitted that the applicant-writ petitioner had also made an enquiry and has found that the holding of Buffalo Fight [Moh-Juj] at any place within Hatigarh Singimari Pathar, District – Nagaon on 04.02.2024 could be prevented.

5. In view of the above, this Court is of the considered view that since the instant interlocutory application has been preferred in respect of a particular Buffalo Fight [Moh-Juj] proposed to be held on 04.02.2024 and finally, no Buffalo Fight [Moh-Juj] was held on 04.02.2024 at the place indicated in the application, this application is not required to be further proceeded with. Accordingly, it is closed.

JUDGE

Comparing Assistant