

GAHC010048432024



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

Case No. : WP(C)/1372/2024

MOSTAFA ALOM AND ANR
S/O - LATE ABED ALI , RESIDENT OF VILL- BHIMAPARA PO-
HATSINGIMARI PS- SOUTH SALMARA DIST- SOUTH SALMARA
MANKACHAR, ASSAM.

2: MOMINUL HOQUE
S/O LATE SAKYAT ALI
RESIDENT OF VILL- BHIMAPARA P.O- HATSINGIMARI PS- SOUTH
SALMARA DIST- SOUTH SALMARA MANKACHAR
ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HOME AND POLITICAL (B) DEPARTMENT, DISPUR,
GUWAHATI-6

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI -07

3:THE DISTRICT COMMISSIONER

SOUTH SALMARA MANKACHAR
HATSINGIMARI
ASSAM.

4:THE SUPERINTENDENT OF POLICE.
SOUTH SALMARA MANKACHAR
HATSINGIMARI
ASSAM.

5:THE OFFICER IN CHARGE OF POLICE
SOUTH SALMARA
HATSINGIMARI
ASSAM.

6:SAFIQUL ISLAM
S/O SOHIJAL HOQUE
VILLAGE-HATSINGMARI TOWN
PO-HATSINGMARI
DIST-SOUTH SALMARA MANKACHAR
ASSAM
PIN-78313

Advocate for the Petitioner : MR. A M KHAN

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 01-05-2024

Heard Mr. AM Khan, learned counsel for the petitioners as well as Ms. S. Sarma, learned Govt. Advocate appearing for all the respondents.

2. The petitioners projects that they are public spirited persons and have submitted a complaint against an illegal abattoir where cows slaughtering is allegedly been done. As the complaint of the petitioners before the District Commissioner and the Superintendent of Police of the District of South Salmara Mankachar did not yield any fruit, the present writ petition has been filed under the Article 226 of the Constitution of India.

3. If an illegal cow slaughtering is allegedly being carried out, it is a

cognizable offence under the Assam Cattle Preservation Act, 2021. Therefore nothing prevents the petitioners to approach the jurisdictional police station to lodge an FIR.

4. Therefore as the petitioners have an alternative remedy to approach the jurisdictional police station the writ petition is not entertained and the same is dismissed, more so because the person against whom the allegation has been made, is not arrayed as a respondent in this case.

JUDGE

Comparing Assistant