

GAHC010168912022



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

Case No. : PIL/56/2022

JYOTIRMAY JANA AND 4 ORS
S/O. LT. SRIKANTA JANA, R/O. ASHA BHUMI, MADHUPUR P.O. NAGAON,
DIST. NAGAON, ASSAM, PIN-782003.

2: ABDUS SALAM
S/O. LT. ABDUL HAMID
R/O. DR. S.K. BHUIYA ROAD
WARD NO.12
AMIN PATTY
P.O. NAGAON
DIST. NAGAON
ASSAM
PIN-782001.

3: ARUP KUMAR MAHANTA
S/O. LT. PRADIP CH. MAHANTA
VILL. KUJIDAH (ULUBARI)
P.O. HATISUNG

PIN-782142.

4: RATUL BORA

S/O. LT. BHUDHAR BORA
VILL. BORIGAON
P.O. AIBHETI
DIST. NAGAON
ASSAM
PIN-782002.

5: JAGNESWAR SHARMA
S/O. LT. NARAYAN SHARMA
VILL. DIMARUGURI
P.O. DIMARUGURI

DIST. NAGAON
ASSAM
PIN-782003

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM, DISPUR, GUWAHATI-
781006.

2:THE COMMISSIONER AND SECY.

GOVT. OF ASSAM
DEPTT. OF HOME AND POLITICAL
DISPUR
GUWAHATI-781006.

3:THE COMMISSIONER AND SECY.

GOVT. OF ASSAM
REVENUE DEPTT.
DISPUR
GUWAHTI
ASSAM-781006.

4:THE DEPUTY COMMISSIONER

NAGAON
P.O. NAGAON
DIST. NAGAON
ASSAM
PIN-782001.

5:THE SUPDT. OF POLICE

NAGAON
P.O. NAGAON
DIST. NAGAON
ASSAM PIN-782001.

6:THE O/C

BATADRVA POLICE STATION
P.O. BATADRAVA
DIST. NAGAON
ASSAM PIN-782122.

7:THE CIRCLE OFFICER

NAGAON
DIST. NAGAON
ASSAM PIN-782001.

8:LINA DOLEY

SUPDT. OF POLICE
NAGAON
P.O. NAGAON
DIST. NAGAON
ASSAM PIN-782001

For the petitioners : Mr. A.R. Sikdar, Advocate
For the respondents : Ms. P. Barua, Advocate
For respondent Nos.1, 2 & 5
Ms. N. Bordoloi,
S.C., Revenue
Mr. D.K. Sarmah,
Addl. Sr. Govt. Advocate, Assam
Mr. H.K. Nath, Advocate
For respondent No.8.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE SUMAN SHYAM

15-03-2024

(Vijay Bishnoi, C.J.)

This writ petition is filed by the petitioners in the design of Public Interest petition highlighting the custodial death of one Safikul Islam on 21.05.2022 and death of one Ashikul Islam in an alleged encounter on 30.05.2022. It is stated in the petition that after the custodial death of Safikul Islam, the villagers have been threatened and assaulted by the police and their houses have also been demolished.

It is noticed that in relation to the very same incident, this Court has already taken cognizance and has registered a Suo Moto PIL No.3/2022 wherein certain directions have also been issued and One-Man Enquiry report has also been taken into consideration.

We are of the view that since a Suo Moto PIL is already registered before this Court in relation to the same incident, wherein certain directions have also been issued and the same is pending consideration, no further order is required to be passed in this PIL and the same is, therefore, disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant