

GAHC010235682015



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

Case No. : WP(C)/903/2015

NASIUR RAHMAN
S/O MATIUR RAHMAN, VILL. JANGAL BLOCK, PART-II, P.O. BHALUKDUBI,
P.S. and DIST- GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM, DISPUR, GHY-6

2:THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
DEPTT. OF WELFARE OF PLAINS
TRIBES AND BACKWARD CLASSES
DISPUR
GHY-6

3:THE DY. COMMISSIONER
GOALPARA
ASSAM

4:THE SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF TRIBAL AFFAIRS (PLAIN)
GOVT. OF ASSAM
GUWAHATI-6

For the petitioner (s) : Mr. M. U. Mahmud, Advocate

For the respondent (s) : Mr. R. Dhar, SC, Tribal Affairs

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
O R D E R

10.09.2024

Heard Mr. M. U. Mahmud, the learned counsel appearing on behalf of the petitioner. Mr. R. Dhar, the learned counsel appears on behalf of the respondent No.2.

2. The petitioner herein has challenged the impugned notification dated 17.05.2005 so far it relates to inclusion of Village-Jangul Block, Part-II within Rabha Hasong Autonomous Council in the district of Goalpara as well as the impugned order dated 16.12.2023 passed by the respondent No.1 in not excluding the Village-Jangul Block, Part-II from Rabha Hasong Autonomous Council area.

3. The case of the petitioner is based upon Section 4 of the Rabha Hasong Autonomous Council Act, 1995 which at the time of filing of the writ petition was in existence. However, it has been brought to the attention of this Court that vide an amendment made to the Rabha Hasong Autonomous Council Act, 1995 vide the Rabha Hasong Autonomous Council (Amendment) Act, 2024 which came into effect on 15.03.2024, Section 4 has been omitted.

4. Taking into account the above, the instant writ petition therefore cannot survive.

5. Accordingly, the instant writ petition stands closed.

6. However, it is made clear that closing of the instant writ petition shall

not affect the petitioner to challenge the Rabha Hasong Autonomous Council (Amendment) Act, 2024, if so advised.

JUDGE

Comparing Assistant