

GAHC010287292023



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

Case No. : WP(C)/7419/2023

GOU PALAN SAMITY
A SOCIETY REGISTERED UNDER THE SOCIETIES REGISTRATION ACT 1980
HAVING ITS OFFICE AT HAZIRIHAT, DIST SOUTH SALMARA MANKACHAR,
REPRESENTED BY ITS PRESIDENT, RABBI ISLAM,(25 YEARS) S/O AZIAR
RAHMAN, VILLAGE KUKILARPAPAR, PS SUKCHAR, DIST SOUTH SALMARA
MANKACHAR, ASSAM, 783131

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
ANIMAL HUSBANDRY AND VETERINARY DEPARTMENT, DISPUR
GUWAHATI 06

2:THE DIRECTOR
ANIMAL HUSBANDRY AND VETERINARY DEPARTMENT
CHENIKUTI GUWAHATI 03

3:THE DEPUTY COMMISSIONER
SOUTH SALMARA MANKACHAR
PO AND PS HATSINGIMARI
DIST SOUTH SALMARA MANKACHAR

4:THE SUPERINTENDENT OF POLICE
SOUTH SALMARA MANKACHAR
PO AND PS HATSINGIMARI
DIST SOUTH SALMARA MANKACHAR

5:THE SUB DIVISIONAL ANIMAL HUSBANDRY AND VETERINARY
OFFICER

SOUTH SALMARA MANKACHAR
PO AND PS HATSINGIMARI
DIST SOUTH SALMARA MANKACHA

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

05-02-2024

Heard Mr. A. Z. Ahmed, learned counsel for the petitioner. Also heard Mr. M. Chetia, learned counsel for the State respondents and Ms. M. M. Kataki, learned counsel for respondent nos. 1, 2 & 5.

The case of the petitioner is that it is a Registered Society, who has approached the respondents for running a Gaushala in the district of South Salmara, Mankachar under the provisions of ***Assam Cattle Preservation Act, 2021***. The petitioner's counsel submits that while the Office of the Deputy Commissioner, South Salmara, Mankachar district, Hatsingimari has, vide letter dated 04.05.2022, asked the petitioner to submit various documents, which the petitioner has done, no final decision has been taken by the District/Deputy Commissioner till date. He, accordingly submits that a direction should be issued to the respondent authorities, to take a decision on the petitioner's representation/prayer to run a Gaushala.

The learned State counsel submits that he has no objection with the prayer made by the petitioner's counsel.

On considering the fact that the petitioner's prayer for running a Gaushala has not been decided by the concerned authorities, this Court is of the view that the respondent authorities should take a decision on the same.

Accordingly, the respondent authorities are directed to take a decision on the

petitioner's request to run a Gaushala in the South Salmara, Mankachar district under the provisions of the ***Assam Cattle Preservation Act, 2021*** within a reasonable time and preferably within 3 (three) months from the date of receipt of a copy of this order.

The writ petition stands disposed of accordingly.

JUDGE

Comparing Assistant