GAHC010046382026

2026:GAU-AS:15478

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

Case No. : WP(C)/1469/2026

PHATIK KELENG
VILL.- KATHALGURI, P/O. JHARGAON, P/S. JAGIROAD, MOUZA- MANOHA, DIST. MORIGAON, ASSAM, PIN-782411

VERSUS

THE STATE OF ASSAM AND 13 ORS
REPRESENTED BY THECOMMISSIONER-SECRETARY, HOME DEPARTMENT, GOVT. OF ASSAM, DISPUR,GUWAHATI-6.

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
B.K KAKATI ROAD
ULUBARI
GUWAHATI-781007

3:THE DISTRICT COMMISSIONER
MORIGAON
DIST. MORIGAON
ASSAM.

4:THE SUPERINTENDENT OF POLICE
MORIGAON
DIST. MORIGAON
ASSAM

5:THE CO-DISTRICT COMMISSIONER
JAGIROAD CO-DISTRICT
JAGIBHAKATGAON
MORIGAON
ASSAM-782411

6:THE CIRCLE OFFICER MAYANG REVENUE CIRCLE
MAYONG
DIST. MORIGAON
ASSAM

7:THE OFFICER-IN-CHARGE
JAGIROAD
DIST. MORIGAON
ASSAM.

8:THE BLOCK DEVELOPMENT OFFICER
MAYONG DEVELOPMENT BLOCK
JAGIBHAKATGAON
DIST. MORIGAON
ASSAM
PIN-782411

9:THE JHARGAON GAON PANCHAYAT
REP. BY/SECRETARY BARAMPUR
JHARGAON
DIST
. MORIGAON
ASSAM
PIN-782411

10:DOIBESWAR KELENG
S/O. LT. RAMBVAR KELENG

11:BISHNU KELENG
S/O. TULAN KELENG

12:PALLAB KELENG
S/O LT. UPEN KELENG

13:ANANDA KELENG
S/O. LT. BIHURAM KELENG

14:BINU DEURI
LT. DEBA KANTA DEURI
11 TO 14 ARE ALL R/O. VILL.- KOTHALGURI
P/S. JAGIROAD
DIST. MORIGAON
ASSAM
PIN-78241

Advocate for the Petitioner : MR. B CHAKRAVARTY, MS A BORDOLOI,MR. A K SAIKIA,A SARMA

Advocate for the Respondent : GA, ASSAM, SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

13.10.2026

1. Heard Mr. B. Chakravarty, learned counsel for the petitioner. Also heard Mr. S. Dutta, learned Standing Counsel for the P&RD Department.

2. The limited grievance raised in this writ petition is regarding inaction of the Police authorities to take note of different complaints filed by the petitioner as well as by the Gaon Panchayat.

3. The brief facts of the case is that the Jhargaon Gaon Panchayat took a decision to construct two fishery tank under Special Chief Minister's Program to provide maximum work for the beneficiaries under MGNREGA. After getting administrative, financial and technical approval, a construction committee was constituted, the work was completed, the completion certificate was issued and the petitioner was allowed to operate the two ponds in terms of a decision taken by the Gaon Panchayat.

4. While the petitioner started running the ponds, a group of individuals started creating trouble and threat to the employees of the petitioner and even set the temporary house on fire and started illegal fishing.

5. Accordingly, the Gaon Panchayat as well as the petitioner filed the FIR before the competent authority. As recorded hereinabove, aggrieved by

their inaction, the petitioner has approached this Court.

6. In the meantime, the investigation was proceeded and after completion of the investigation, the Charge Sheet being Charge Sheet No. 138/2026 dated 26.07.2026 under Sections 191(3)/191(2)/324(5)/351(2)/326(g) of BNSS was filed.

7. The Charge Sheet further reveals that the ponds were under possession of the petitioner for maintenance, upliftment and proper management.

8. Be that as it may, as the Charge Sheet has been filed, this writ petition survives no cause of action.

9. Accordingly, this writ petition stands disposed of.

10. It is needless to say that the police authorities/district administration shall be under their bounden duty to protect the citizens from such miscreants in future too.

JUDGE

Comparing Assistant