GAHC010137882018

2026:GAU-AS:17393

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

Case No. : WP(C)/4536/2018

SHAHAB UDDIN LASKAR AND 11 ORS.
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD., VILL. AND P.O. MATIJURI, DIST. HAILAKANDI, ASSAM.

2: KAMRUL AMIN LASKAR
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

3: KAMRUL ISLAM CHOUDHURY
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

4: ZEAUR RAHMAN MAZUMDER
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

5: NOZRUL HOQUE CHOUDHURY
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

6: RAHATAN NASSA BARBHUIYA
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S

S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

7: AMZAD HUSSAIN CHOUDHURY
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

8: JOYNUL HOQUE LASKAR
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

9: AJIT KUMAR RAY
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

10: DIDARUL AMIN LASKAR
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

11: ATIKUR RAHMAN CHOUDHURY
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM.

12: SMT. AMINA BEGUM BARBHUIYA
SHARE HOLDER/ NEWLY ELECTED MEMBER OF THE BOD OF MATIJURI S S LTD.
VILL. AND P.O. MATIJURI
DIST. HAILAKANDI
ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS.
TO BE REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM, DEPTT. OF CO-OPERATION, DISPUR, GUWAHATI- 6.

2:THE REGISTRAR OF CO-OPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI-22
ASSAM.

3:THE DY. COMMISSIONER
HAILAKANDI
P.O. AND DIST. HAILAKANDI
ASSAM
PIN- 788155.

4:THE ASSTT. REGISTRAR OF CO-OPERATIVE SOCIETIES
HAILAKANDI

P.O.
P.S. AND DIST. HAILAKANDI
ASSAM
PIN- 788155

5:SENIOR INSPECTOR/ AUDITOR OF CS
HAILAKANDI CUM RETURNING OFFICER

MATJURI SS LTD.
P.O.
P.S. AND DIST. HAILAKANDI
ASSAM
PIN- 788155.

6:SECRETARY
MATIJURI SS LTD.

P.S. AND DIST. HAILAKANDI
ASSAM
PIN- 788155.

7:SAMSUL ALOM CHOUDHURY
S/O- LATE BASIR UDDIN CHOUDHURY
VILL- BARHAILAKANDI PART-III
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

8:SAIDUR RAHMAN MAZUMDER

S/O LATE ABDUL MOJID MAZUMDER
VILL- BARHAILAKANDI PART-III
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

9:MOKTAR HUSSAIN BARBHUIYA
S/O- LATE SIRAJ UDDIN BARBHUIYA
VILL- BARHAILAKANDI PART-III
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

10:SHAHAB UDDIN BARBHUIYA
S/O- LATE ABUR RAHIM BARBHUIYA
VILL- MATIJUR
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

11:AMIR UDDIN LASKAR
S/O- LATE TAJAMMUL ALI LASKAR
VILL- VILL- BARHAILAKANDI PART-II
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

12:MOSTAK UDDIN LASKAR

S/O- HILAL UDDIN MAZARBHUIYA
VILL- BARHAILAKANDI PART-I
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

13:NOZMUL HOQUE LASKAR

S/O- MUJAMMIL ALI LASKAR
VILL- RONGPUR
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

14:MOHBUL HUSSAIN CHOUDHURY
S/O- IZZAD HUSSAIN CHOUDHURY
VILL- BARHAILAKANDI PART-II

VILL- MATIJUR
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155.

15:ABDUL MUKTADIR LASKAR

S/O- LATE RAHIM UDDIN LASKAR
VILL- MATIJUR
P.O.- MATIJUR
P.S AND DIST- HAILAKANDI
PIN-788155

Advocate for the Petitioner : MR. M H LASKAR, MR. S ROY

Advocate for the Respondent : SC, CO OP, MR. A CHOUDHURY (R 7 -15) ,MR. R A CHOUDHURY(R-7 TO 15),DR. B AHMED

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 25.11.2026

1. Heard Mr. S Roy, learned counsel for the petitioners. Also heard Mr. SK Talukdar, learned standing counsel, Cooperation Department.

2. The petitioners are shareholders of Matijuri Samabay Samiti Limited in Hailakandi District.

3. A notice dated 26.04.2018 was issued by the Secretary of Matijuri Samabay Samiti Limited (Respondent No. 6), informing that the AGM cum Election of the new Board of Directors of the Society for the period 2018–19 to 2022–23, would be held on 12.05.2018.

4. The petitioners submitted their nominations along with 46 other candidates. On 12.05.2018, the election was held and conducted by the Returning Officer in the presence of the Executive Magistrate and police personnel, and according to the petitioners, as many as 1844 shareholders casted their votes.

After counting the votes in the presence of all concerned, the Returning Officer declared the result of the election, wherein the petitioners were declared elected.

5. Alleging that such election was not approved by the Registrar of Cooperative Societies and for want of that the petitioners could not take charge as Members of the Board of Directors of the Society, the present writ petition was filed.

6. The pleadings itself show that the tenure of the Committee expired in the year 2022–2023 and it is also submitted that subsequently, a One-Man Ad-hoc Committee was appointed.

7. In that view of the matter, nothing survives in the present writ petition and accordingly, the instant writ petition stands closed.

8. However, this Court, while closing this writ petition, observes that it is the bounden duty of the Registrar of Cooperative Societies to facilitate the management of a society through an elected body, and the management under a One-Man

Ad-hoc Committee cannot continue for more than 90 days in terms of Section 41(6) of the Assam Cooperative Societies Act.

9. It is needless to say that if any fresh cause of action arises, the petitioners shall be at liberty to approach this Court for redressal.

JUDGE

Comparing Assistant