GAHC010203692026

2026:GAU-AS:16170

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

Case No. : WP(C)/5118/2026

RAMENDRA KUMAR BHUYAN AND ANR
S/O LATE GIRINDRA KUMAR BHUYAN, RESIDENT OF SUWAGPUR A. M. ROAD, P.S. PALTAN BAZAR, GUWAHATI, KAMRUP M, ASSAM, PIN- 781008.

2: AMAL KUMAR DAS
S/O LATE PRAMOD DAS RESIDENT OF SUWAGPUR AM ROAD PS PALTAN BAZAR GUWAHATI KAMRUP M ASSAM PIN 781008

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S/O- LATE PRAMOD DAS
RESIDENT OF SUWAGPUR A. M. ROAD
P.S. PALTAN BAZAR
GUWAHATI
KAMRUP M
ASSAM
PIN- 781008

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, EXCISE DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE COMMISSIONER OF EXCISE
ASSAM
HOUSE FED COMPLEX
DISPUR
ASSAM
GUWAHATI- 06.

3:THE DISTRICT COMMISSIONER- CUM- CHAIRMAN
TENDER COMMITTEE
KAMRUP M
RUPNAGAR

GUWAHATI
ASSAM
PIN 781032.

4:THE SUPERINTENDENT OF EXCISE
KAMRUP M
RUPNAGA
R GUWAHATI
ASSAM
PIN 781032

Advocate for the Petitioner : MR. S B LASKAR, N SARMAH,MR. H A LASKAR,MS D DUTTA,MS. S KHATUN

Advocate for the Respondent : GA, ASSAM, SC, EXCISE DEPTT.

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

04.11.2026

1. Heard Mr. H. A. Laskar, learned counsel for the petitioner. Also heard Ms. K. Saikia, learned Standing Counsel for the Excise Department.

2. The two petitioners claim to be residents of Suwagpur, GMC Ward No. 30, Guwahati, are aggrieved by the proposal of the department to start an IMFL Retail (OFF) Shop No. KAMM22 in the locality.

3. The respondent authorities issued an E-bid notice bearing Ref.No.KXL-36/2023-24/Part-II, notifying the shop No. KAMM22.

4. It is the grievance of the petitioner that though in the said notice, the shop's location was notified at Manipuri Basti, Ulubari, Guwahati, Kamrup Metro, a notice dated 07.04.2025 was pasted near the residence of the petitioners, more particularly on the premises of one Mrs. Chandra Saki Devi, and the other at A.M. Road.

5. Perusal of the notice goes to show that this is a notice under the provisions of the Excise Act.

6. Be that as it may, it is the grievance of the petitioners that pursuant to such notice, they have submitted a detailed public complaint-cum-objection on 07.03.2026 before the District Commissioner, Kamrup (Metro), objecting to the proposed premises and the deviation from the notified location.

7. The present writ petition is filed with a grievance that such an objection has not yet been considered by the respondent Deputy Commissioner-cum-Excise Superintendent.

8. Ms. K. Saikia, the learned Standing Counsel for the Excise Department, on the other hand, submits that this writ petition is premature and no license for the aforesaid location has yet been issued, and, according to her, the District Collector, shall definitely consider the objections, if any, as required under the Assam Excise Act and the rules framed thereunder.

9. This court is also of the opinion that this writ petition can be disposed of, directing the District Collector to consider the objections, if any, raised by the petitioner, as prescribed under the Excise Act and

Rules, and a necessary decision may be taken as the regards the grant/non-grant of the licence in the aforesaid locations.

10. With the aforesaid observation, this writ petition stands disposed of.

JUDGE

Comparing Assistant