

GAHC010116062016



2025:GAU-AS:16613-DB

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

Case No. : PIL/57/2016

ASSAM ANDOLON SANGRAMI MANCHA
REP. BY THE CHIEF CONVENOR, KUMAR DEEPAK DAS, S/O- LT. RAMANI
MOHAN DAS, R/O- 4 BARNACHAL ROAD, BAMUNIMAIDAM, P.S.-
CHANDMARI, GHY- 21, DIST.- KAMRUP M, ASSAM.

VERSUS

THE UNION OF INDIA and 13 ORS
REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF HOME
AFFAIRS, NEW DELHI.

2:THE STATE OF ASSAM
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM
DISPUR
GUWAHATI
ASSAM.

3:COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
HOME DEPTT.
DISPUR
ASSAM.

4:SECY. TO THE GOVT. OF ASSAM
ASSAM ACCORD IMPLEMENTATION DEPTT.
DISPUR.

5:SECY. TO THE GOVT. OF ASSAM
REVENUE DEPTT.

DISPUR.

6:SECY. TO THE GOVT. OF ASSAM
FOREST DEPTT.
DISPUR.

7:DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI.

8:DIRECTOR GENERAL OF POLICE BORDER
ASSAM
BHANGAGARH
GUWAHATI.

9:SECY. TO THE GOVT. OF INDIA
MINISTRY OF HUMAN RESOURCE AND DEVELOPMENT
NEW DELHI.

10:SECY. TO THE GOVT. OF INDIA
MINISTRY OF FINANCE
NEW DELHI.

11:SECY. TO THE GOVT. OF INDIA
MINISTRY OF ENVIRONMENT AND FOREST
NEW DELHI.

12:SECY. TO THE GOVT. OF INDIA
MINISTRY OF FOREIGN AFFAIRS
NEW DELHI.

13:SECY. TO THE GOVT. OF INDIA
MINISTRY OF RAILWAY
NEW DELHI.

14:SECY. TO THE GOVT. OF INDIA
MINISTRY OF SHIPPING AND SURFACE COMMUNICATION
NEW DELHI

Advocate for the Petitioner : MR. P PATHAK, MR. S N KRISHNATRAYA,MR. D CHOUDHURY

Advocate for the Respondent : MR. S BISWAS, GA, ASSAM,ASSTT. S.G.I.,MR. D SAIKIA,MR. S C BISWAS

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

03.12.2025

(M. Zothankhuma, J)

Heard Mr. S. Difusa, learned counsel appearing on behalf of Mr. D. Choudhury, learned counsel for the petitioner. Also heard Mr. S.C. Biswas, learned counsel appearing on behalf of the Railways and Mr. R.K.D. Choudhury, learned Dy. S.G.I. appears on behalf of the respondent Nos.1, 5, 9, 10, 11, 12 & 14.

2. The petitioner's case is that the respondents have failed to protect and promote the cultural, social and linguistic identity of the Assamese people or to safeguard the economic development of the state, for which the Assam Accord has to be implemented in right earnest. The petitioner is also concerned with the insignificant number of deportations and the continued stay of illegal migrants in the state of Assam.

3. The petitioner's prayer is for implementation of Clause 5.1, 5.2, 5.3, 5.4 & 5.5 of the Assam Accord. The prayer No.3 of the petitioner for declaring the proposed bill for regularization of the foreigners of Hindu religion, who have migrated into India till 2016 as illegal null and void has apparently become infructuous, in view of the coming into force of the Citizenship Amendment Act, 2019.

4. It is an admitted fact on the part of the parties that similar matters are

pending disposal before the Hon'ble Supreme Court and that vide various orders passed by this Court on 24/04/2017, 09/08/2017, 15/09/2017, 30/10/2017 till 03/05/2024, this Court had adjourned the matter, awaiting the verdict of the Supreme Court.

5. The orders dated 24/04/2017 and 03/05/2024 are reproduced herein below, as follows :-

“24.04.2017

Mr. D Choudhury and Mr. SN Krishnatraya, learned counsel for the petitioner.

Mr. D Saikia, learned Advocate General, Assam and Mr. SC Keyal, learned Assistant Solicitor General of India for the respondents.

Mr SC Keyal, learned Assistant Solicitor General of India states that some issues raised in the petition are already under consideration before the Supreme Court and, therefore, awaiting decision of the Supreme Court, the case be listed after three months.

Prayer allowed.

List the case after three months.”

“03.05.2024

As per the order dated 05.02.2024, the controversy involved in this PIL petition is also pending consideration before the Hon'ble Supreme Court and, hence, the matter is adjourned awaiting verdict of the Hon'ble Supreme Court on the similar point.”

6. As the Supreme Court has apparently not decided the issues till today, which are also agitated in the present case, we are of the view that the present PIL should be closed awaiting the decision of the Supreme Court. Accordingly, we close the PIL awaiting the decision of the Hon'ble Supreme Court.

JUDGE

JUDGE

Comparing Assistant