

GAHC010007892025



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

Case No. : WP(C)/880/2025

PADUMI BHUIYAN
W/O- LATE PABIN BHUYAN @ POBIN BHUYAN,
R/O- VILLAGE PURNAKHUMDUM, P.O- LAKHARPARA, P.S- KAYAN, DIST-
KAMRUP RURAL, ASSAM, PIN-781350

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY , TO THE GOVT.
OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
DISPUR, GUWAHATI-06

2:THE DISTRICT COMMISSIONER
KAMRUP (R)
AMINGAON
ASSAM
PIN-781031

3:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM

FINANCE DEPARTMENT
DISPUR
GUWAHATI-0

Advocate for the Petitioner : S I AKAND, MR. R Deka,MR A CHOUDHURY

Advocate for the Respondent : SC, REVENUE, SC, FINANCE,GA, ASSAM

BEFORE

HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : -19.02.2025

Heard Mr. S.I. Akand, learned counsel for the petitioner; Ms. N. Bordoloi, learned Standing Counsel, Revenue & Disaster Management Department for the respondent no. 1; and Mr. J. Handique, learned Junior Government Advocate, Assam for the respondent nos. 2 & 3.

2. By an Order dated 26.10.2024 passed in the writ petition, W.P.[C.] no. 5762/2021, the case of the petitioner for ex-gratia payment in view of death of her husband, Pabin Bhuyan due to lightning, was directed to be considered by the Deputy Commissioner by passing a reasoned order and thereafter, to transmit the same to the Revenue & Disaster Management Department to do the needful so as to bring the claim to its logical conclusion. The Deputy Commissioner was directed to pass a reasoned order within a period of one month. Therefore, the petitioner preferred a contempt petition, Cont.Cas[C] no. 776/2022.

3. When the contempt petition came up for consideration on 14.08.2024, a submission was made on behalf of the Deputy Commissioner that authorization for ex-gratia payment of Rs. 4,00,000/- [Rupees four lakhs] had been accorded vide Sanction Letter dated 24.04.2024 and the case was forwarded to the Revenue & Disaster Management Department for release of the amount after examination. As the sanctioned amount of Rs. 4,00,000/- [Rupees four lakhs] has not yet been disbursed to the petitioner, the petitioner has approached this Court by the instant writ petition.

4. Ms. Bordoloi, learned Standing Counsel, Revenue & Disaster Management Department has submitted that she would obtain instruction as regards the matter of disbursement of ex-gratia payment of Rs. 4,00,000/- [Rupees four lakhs] and place the same on 19.03.2025.

5. Issue notice, returnable on 19.03.2025.

6. As Ms. Bordoloi, learned Standing Counsel, Revenue & Disaster Management Department has appeared and accepted notice for the respondent no. 1; and Mr. Handique, learned Junior Government Advocate, Assam has appeared and accepted notices for the

respondent nos. 2 & 3, formal notices need not be issued to the said respondents. Mr. Akand, learned counsel for the petitioner shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to Ms. Bordoloi and Mr. Handique within 2 [two] working days from today.

JUDGE

Comparing Assistant